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External Experts Team

Final Evaluation Report

Faculty of Law

University of Prishtina

2015

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1 PREAMBLE

Upon request from the Ministry of Education, Science and Technology of the Republic of Kosovo, the Kosovo Accreditation Agency (hereinafter, KAA) set up a team of experts (hereinafter, Experts Team, or ET) in order to evaluate and eventually re-accredit the Faculty of Law at the University of Prishtina "Hasan Prishtina" (hereinafter FL UP) and its several study programs.

After a close examination of their merits, experience, specialization and international prestige, the experts appointed by the Kosovo Accreditation Agency in order to integrate this team were, in alphabetical order:

- Prof. Dr. Johannes Falterbaum (Duale Hochschule Baden-W., Germany)
- Prof. Dr. Carlos Flores Juberias (University of Valencia, Spain), who was appointed to act as chairman of the ET
- Prof. Dr. Michael Geistlinger (University of Salzburg, Austria), who with the approval of Prof. Falterbaum and Parycek stepped in to finalise the report due to unavailability of Prof Flores Juberias
- Prof. Dr. Peter Parycek (Danube University at Krems, Austria)

Since, according to the usual practices of the KAA, an on-site visit of the Expert Team constitutes a necessary element of the evaluation process, a visit to the premises of the Faculty of Law at the University of Prishtina "Hasan Prishtina" was organized by the KAA, taking place on June 19th 2015. The visit was attended by all four members of the ET, and its schedule was the following:

08.30-09.00 Preliminary meeting of the ET.

09.00–10.00 Meeting with the management of the FL UP.

10.00–11.30 Meeting with responsible persons for the study programs.

11.30–12.30 Visit to FL UP facilities.

12.30–14.00 Lunch and discussion of ET and Coor. KAA.

14.00–15.00 Meeting with academic staff of the FL UP.

15.00–16.00 Meeting with students of the FL UP.

16.00–16.15 ET and KAA Team consultation meeting

16.15–16.30 Closing meeting with the management of the FL UP.

17.00-18.00 Closing meeting of the ET.

According to the "Code of Good Practice for Site-Visits" and the "Guidelines for Experts (Institutions and Academic Programmes)", approved by the KAA (12.2010), having in mind the most rigorous international standards applicable to comparable institutions of higher education, and on the basis of:

- The previous KAA evaluation reports of April 2010 (BA and MA programs),

June 2011 (MA Programs) and June 2012 (BA, MA, and PhD programs)

– The Self-Evaluation Report (hereinafter, SER) issued by the Faculty of Law on October 31, 2014.

– The findings of the Experts Team during their personal interviews with academic authorities, faculty, students, and staff on occasion of the above mentioned site-visit.

– The list of additional documents requested by the ET and duly delivered by the FL UP authorities on June 26, 2015.

- The comments of the FL UP of July 28, 2015 on the ET provisional Evaluation Report of July 6, 2015

The three members of the ET available on 25/26 August 2015 by this date approved the Final Evaluation Report

2 GENERAL REMARKS

The ET agreed to summarize the general results for the programmes in the following chapters: adjustment to the labour market needs; staff; research and international cooperation; finances and infrastructure, space and equipment; and quality management.

2.1 On the adjustment of the Faculty of Law programmes to the labour market needs of Kosovo

The SER states (p. 11, Secc. 2.2) that “the Faculty of Law guides the orientation of law students [...] in compliance with their preferences and according to the labour market needs in Kosovo and beyond”.

However, the SER does not provide, and the ET was not able to find, any evidence about this. Quite on the contrary, the ET has the impression that the UP FL is investing substantial amounts of public funds, and personal efforts as well, in the education a formidable amount of students who will not be able to find a job in a market, which is already saturated with lawyers.

Basic questions, like how many graduates in Law are produced every year by the entire Kosovar university system (i. e.: by the UP FL, but also by the other public and private universities, and colleges); how many of these graduates in Law have actually a job five/ten years after their graduation; how many of these jobs are related with legal professions (judges, lawyers, notaries, civil servants, etc.), how many of these jobs are full time, and how many part time jobs; which is the differential in the unemployment rate of graduates in Law, and compared with the general population, or what is the opinion of the most relevant institutions (Bar association, Supreme Council of the Judiciary, higher administrative bodies) about the level of education received by prospective graduates from the UP F, etc. still remain unanswered.

In the Provisional Report the ET made the following

Recommendations:

- The ET considers an urgent priority to carry out a serious and comprehensive study about the actual demands of lawyers by public institutions and private firms that comprise the labour market in Kosovo. Such survey, which ought to be carried out either by the Ministry of Education, or subsequently by the University of Prishtina itself, should at least address the issues enumerated in the previous paragraph.
- Once carried out, such survey should be widely circulated among institutions, job providers and prospective students, and should constitute the basis for a serious and far reaching reflection about the role of the UP FL in Kosovar society.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET accepts with pleasure that the need for a Kosovo labour market study for lawyers is seen also by the UP FL.

As to para 1 above, the ET considers that the number of students per one course shall not transgress the number of seats available in the respective auditory.

As to para 8 above, the ET takes note of the language skills and publications in foreign journals, which were not shown in the CVs and during the site visit. The ET proposes that such evidence shall be shown at the occasion of the next accreditation.

2.2 On the staff of the Faculty of Law

The information in writing as well as additional information given orally at the site visit, by the management, members of the staff, as well as by students, shows that the fundamental problems of the UP FL as to their staff lie in the following:

1. The number of students is so high, that neither the number of staff, nor the available rooms are sufficient to fulfil even basic requirements. Students have to enter the auditory hours before the start of lectures in order to catch a seat. Those, that do not succeed, stay outside and have no chance to even hear the lecturer. Work in small groups on the bachelor level is excluded given the high number of students and unavailability of rooms. The lack of budgetary decision-making power on the faculty level, which goes hand in hand with the elimination of study fees - reported orally to the ET - limits the chances of the UP FL to improve study and work conditions.

2. The staff numbers, provided by the SER do not precisely indicate, how many professors are full time staff, how many part time and in which relations, and why professor emeriti have been included. Additional oral information, given at the site visit, shows that a couple of professors have become part time, because of their recruitment for high-ranking functions in the public administration or judiciary of Kosovo. Others were recruited for lecturing because of political intervention.

3. Professors emeriti are used as if they were still active. They help the UP FL to fulfil its lecturing tasks. On the other hand they continue lecturing in order to compensate their low pensions.

4. Oral information provided at the site visit confirmed that professors of the UP FL of any type are allowed only to lecture at one additional university and this requirement is strictly controlled. By such measure it shall be safeguarded that they will have enough time for combining their teaching obligation with their research obligation.

5. The ET has been informed orally at the site visit that the number of students will be reduced by 500 beginning from winter term 2015/16. Though such decision might contribute to improve the actual imbalance between the number of staff and the number of students, in the opinion of the ET it should not be seen as a measure replacing the need for a comprehensive study of the demand of the law labour market (as recommended above), nor as the only solution to cope with the long term understaffing of the UP FL, which is a serious problem itself.

6. The data available on the staff composition do not allow the ET to draw well-based conclusions whether there is an adequate proportion of permanent staff and appropriate proportions of permanent and external staff. The SER (pp. 161f) lists 69 regular academic staff members (full professors, associate professors, assistant professors, assistants, lecturers) having been hired on a contractual basis for 4 or 3 years respectively. The SER (p. 166) adds 14 adjuncts. There is a back-up reserve for new programs/campuses of 6 lecturers on PhD level (see SER p. 165). The so-called sessional academic staff consists of one professor emeritus, one full professor, two associate professors and two lecturers, all of them hired for four years (see SER, p. 163).

Given just the numbers and considering the CVs of the staff members there seems to be an adequate proportion being given. The SER (pp. 165 f) contends, that there is an Academic Staff Development Plan (three years planning period), which is based on reflections on the previous academic year by

staff and department chairs as well as on their determination of future objectives and results of meetings. The reflections include staff reports concerning the learning process, curriculum development, and research work.

It might be useful that the next Academic Staff Development Plan, as well as SER, particularly addresses the issue of adequacy of proportion between permanent and external staff.

7. The CVs of the staff and talks with staff members at the site visit show that there is in general given high motivation to fulfil their tasks as far as the circumstances allow. The huge number of students involves a predominance of exams in writing, which is only partly compensated - and this is well received by the ET - by multiple-choice tests. Clear focus must, however, be given to teaching to the detriment of research activity. Nevertheless and irrespective of these circumstances, the members of the staff impress by their publications, which, however, are predominantly restricted to Kosovo and Albania and to the Albanian language.

8. Only few staff members prove being able to write in any foreign language and to having published in journals/editions of foreign provenance. The law faculty has set up an own faculty journal and there is, as has shown the site visit, cooperation and exchange being given with other law schools in Kosovo as well as in Albania. Having joined Lexis Nexis and other databases in the area of law, the PU FL has laid a basis, how at least a certain access to foreign literature in law is being provided to its staff. Apart from these databases and from gifts in literature of professors passing by, the faculty library is not offering any literature from outside the Albanian speaking area. As a consequence the staff shows an extremely homemade and home-oriented profile, which has been openly addressed also as a deficit by the students representatives during the site visit.

9. Opportunities, e.g. offered by the ERASMUS+ programme, for exchange of students and staff are not used as they could be used in order to strengthen the profile of the staff and internationalize academic life. research and science.

At the site visit only few staff members were able to contribute to the discussion with the ET in English. Widely, the use of interpreters was necessary. This lack of profile on the staff level also limits the mobility of students.

In the Provisional Report the ET made the following

Recommendations:

- The ET recommends taking all possible measures ensuing from the results of a labour market demand study so that reasonable and feasible numbers of students will be taught by a sufficient number of mainly full-time professors dedicated to lecturing and research in equal proportions.
- The ET recommends to increase the portion of research in the daily work of the UP FL staff, putting in motion a rigorous control of second jobs (either in other Universities, or in the public or private sector, or in the Administration) and providing incentives for those professors with a better research record; and to open research predominantly done in the Albanian speaking area and in Albanian to interact with European and world-wide legal science.
- The ET recommends addressing the issue of adequacy of proportion between permanent and external staff in the next Staff Development Plan and SER.

- The ET recommends to develop E-Learning lectures for extending capacity.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET upholds the above Recommendations.

2.3 On research and International co-operation

Due to the fact that many staff members are at the same time exercising functions in the administration or judiciary of Kosovo, the preconditions for field-based research in principle are optimal. The information provided to the ET does not show, however, what is the feed-back of this interaction or de-doubling of functions for the UP FL.

The SER and additional oral information obtained at the site visit, in particular, in meetings with staff members show that research projects with partner institutions outside the university sector are taking place, however, not on a systematic basis, but moreover based on isolated personal contacts. Due to the lack of individual research plans of the staff members and lack of any coordination of such research plans, the potential in know-how accumulated at the UP FL is not being used as efficiently as it could be used.

As already discussed above, there is little international cooperation in research and teaching. The opportunities existing are by far not exhausted. On the other hand, where such cooperation takes place (e.g. Public International Law with University of Graz, WUS), the quality is convincing and adequate.

Due to the fact that there is no bachelor thesis, the opportunities for students to be included in research and cooperation projects are rare in the first four years of their studies. On the Master level there is better opportunity and the same goes even more for the doctoral studies. Also on the Master and Doctoral studies' level, this opportunity, however, is nearly not used at all. As another consequence of the lack in a streamlined research policy of the UP FL, the syllabi for the various master and doctoral studies only exceptionally point at the privilege and necessity to include students' research into research and cooperation projects run at the faculty or by the faculty.

In the Provisional Report the ET made the following

Recommendation:

- The ET recommends to set up a research plan on the faculty level and to include master thesis and doctoral thesis as far as reasonable and feasible into such research plan and cooperation.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET upholds the above Recommendation.

2.4 On finances and infrastructure, space and equipment

The UP FL is subordinate to the whole UP and has no budget authority. The budget plan included in the SER (Annex III, pp. 216-227), thus, shows the portion of means assigned to the FL by the Senate. For many positions the numbers are exactly the same for the years 2012, 2013 and 2014, which means that in reality irrespective of growing student numbers, the financial means do not even compensate the inflation loss as for costs of staff. The ET did not see the internal communication between faculty and Senate before the establishment of the budget plan and, thus, cannot compare the numbers proposed by the faculty to those actually included by the Senate. The ET has, however, no doubt, that the budget plan and its realization are not adequate for the needs of the faculty given the amount of students, which has been increasing from year to year. The UP FL is used, however, to permanent financial constraints and in the opinion of the ET does, what any institution under such conditions could not do better.

The buildings, number and size of rooms and library as well as computer infrastructure clearly are not adequate for running the programs for the big amount of students taking part, in particular, in the Bachelor program. Political decisions on the governmental level as to tuition fees and opening of state universities to an unlimited number of students as well as budget constraints following from an obviously unsatisfactory budget assigned to the university as such and portioned for the UP FL force the FL to run the programs even under such inadequate conditions.

The ET sees these constraints and sees the necessity of the UP FL to live with them.

In the Provisional Report the ET made the following

Recommendation:

- The ET recommends to increase the budget for the UP FL considerably and, thus, help to improve the infrastructure in order to become more adequate to the needs of the programme in parallel to implementing the results of a labour market study as proposed by the ET.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET upholds the above Recommendation.

2.5 On quality management

On occasion of evaluations carried out by previous Expert Teams, the issue of quality management has been repeatedly raised. In particular, when the 2012 Evaluation Report referred to this issue (pp. 7-8) three major sources of concern in relation with the questionnaire that students were supposed to complete at the end of each semester were underlined:

- The first referred to the manner in which quality control was carried out, since “The questionnaire is still paper-based (handed out in classes) which means that analysis of questionnaires from some 8,000 students annually across a very large number of different modules must be a considerable task involving many hundreds of thousands of entries into a central data-base to allow for systematic analysis”.
- The second referred to the consequences of quality control, putting into question “that the results (suitably anonymised) are effectively disseminated to academic staff to allow for transparency in the process and effective staff development and quality enhancement”.
- And the third referred to the effective implementation of quality control, since the ET argued to have interacted with “eleven fourth-year undergraduate students, all of whom claimed that they had rarely if ever asked to complete one of the special student evaluation forms that have been constructed by the faculty of law”.

Despite the fact that these serious shortcomings were duly communicated to the UP FL management, and that the issue was addressed at the so-called “Plani I permbushjes se rekomandimeve te ekipit te eksperteve (EE) nga procedura e fundit e akreditimit” (see p. 176 of the SER), and despite the fact that the UP FL has repeatedly asserted in its SER that this system of quality assurance is systematically applied at all levels (BA, MA and PhD) of the educational process, by means of a confidential questionnaire “applicable to three different levels and for academic staff, students and administration”, whose application is carried out “in the end of each course (subject) study”, whose results “are reported by the Dean’s Office (in collaboration with the coordinator of the studies) in the Office of Academic Development at the University of Pristina, which then reports eventual findings to the Rector’s Office, namely to the Pro-Rector for Academic Affairs”, the findings of the ET suggest a fairly different scenario:

- The questionnaire is still paper-based (handed out in classes), which considering the number of courses and students involved, and the limited staff of the Faculty, makes it virtually impossible to process. The ET seriously doubts that in the improbable case (see below) that questionnaires were duly handed out and filled in by students, its results could be conveniently processed.
- The results are not always, nor promptly disseminated to the affected academic staff, and –even worse– there is no evidence that they are communicated to the Chairs of the Cathedras, in order to be taken into consideration in order to advise those having collected a below-average evaluation about the best manners to improve their teaching abilities. Nor there is any evidence of the consequences on the salary and the status of faculty of repeatedly obtaining low marks in this quality evaluation.

– Finally, the effective implementation of quality control is disputable, since once again, after having interacted with a sizable number of students (fourteen, from different courses and programmes) the ET got the impression that they had rarely, if ever, been asked to complete these evaluation forms.

Additionally, the way the evaluation is carried out, as revealed by the structure and content of the “Assessment Form” (p. 188 of the SER) is in itself deficient. Students are confronted with questions to which only three responses are available (five options, ranging to “I fully agree” to “I fully disagree” would be much more revealing) of which in most cases two happen to be positive (“Very successful” and “successful”, or “of high quality” and “well designed”) and only one is negative (“unsuccessful” or “poor”). And they are not asked about relevant aspects of the educational process, like “Are classrooms comfortable, and is space sufficient?”, “Are teaching materials easily available?”, “Does the professor adequately his/her classes to the announced syllabus?”, “Has evaluation been fair?”, “Is the relationship with the professor fluent?”, “Does the professor fulfil his teaching duties?”, “Does he comply with his office hours?”.

As consequence of this, it simply cannot be stated that the UP FL is putting in practice an effective quality control mechanism that allows students to express their opinion about the quality of the teaching they receive, and academic authorities to extract consequences from these, a short-coming the consequences of which are easy to apprehend.

In an effort to investigate that matter more closely the ET asked to faculty of law after their site-visit to inform about

– Statistics about students, enrolment in master and PhD programs, faculty members full and part time; 5 years

– Data about the evaluation carried out by the students of teaching staff, courses, semesters and the description of how it’s carried out, how is the result processed and consequences

The additional documents sent by the UP FL June 26, 2015 totally ignored the first request, providing no statistics about the number of students demanding and gaining access to the MA and PhD Programs.

Regarding the evaluation carried out by the students of teaching staff, in change, the ET got an overwhelmingly amount of data contained in eight annexes to the additional documents. However most of this information happened to be misleading, if not almost irrelevant. Annex II and II-1 give no information about how many students were asked to fill in the evaluation questionnaires. Annex III is concerning 128 students but most of the questions are answered by less than 35 of them, and in some cases by less than half a dozen students. Annex IV is concerning 65 students but more than half of the courses are evaluated by less than 50 % of the students. Annex V concerns only 17 students, annex VI 22 students, annex VII 12 students and Annex VIII 25 students, when enrolment in these courses is known to be much larger. As well it is remarkable that it is not possible to identify why which courses of which programme were selected for this very incomplete evaluation process. In favour of the faculty of Law of university of Pristina the ET assume that only a communication problem is the reason why is not possible to recognize which year the evaluation was carried out.

The Accreditation processes concerns different components. Regarding western European standards of academic study programmes there cannot be any doubt that a detailed, transparent und all

programmes including evaluation process is absolutely indispensable. And the university has to prove a serious implementation.

With the submitted documents it is not possible to find out the acceptance of the various academic programmes by the students. Regarding the meeting of the ET with a group of students the impression is confirmed that the faculty has no structure to consider the feedback of their students. For a large faculty it is even more important to have a good evaluation structure.

Exclusively on the base of the very difficult circumstances of the young Republic of Kosovo it is possible to abandon a formal refusal of reaccreditation.

In the Provisional Report the ET made the following

Recommendations:

- The UP FL has to immediately design and implement an entirely new evaluation system that provides full, neutral, useful and credible information about the quality of the teaching, along the preceding lines.
- Using electronic systems as they are nowadays common practiced (or in another way) the university has to prove the comprehensive implementation of this system, applying it to all programmes and courses of the faculty –or at least to a representative section thereof– once every academic year.
- The faculty has to be able to access the results of this evaluation, and the academic authorities should be in the position to draw consequences from it, for which an action plan is needed.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET upholds the above Recommendations.

2.6 On the position of students

The ET had a very interesting exchange with about 20 students of the faculty of law.

There was an open discussion about diverse points of their study. Most of them had occasion to contribute their opinion while the one-hour meeting.

The students have all in all a good impression of the various academic programmes of the faculty. In general they are well informed about the content, methods and literature of each module at the beginning of the courses. As well, the syllabus of the complete programmes are available for the students.

The teachers are in generally good qualified and easy to contact for every student.

But there was a consensus between nearly all students present that the various academic programmes are not well distinguished from each other. Particularly they criticized that there is big overlapping between the Bachelor Programme and the Master Programmes; many master programme courses offer the same content. This has been confirmed for different master programmes, which is an evidence for a general structural programme problem.

As well the ET had the impression that there is no structure for students to have participation in the development of study contents and realisation of teaching and teaching conditions. The Faculty of Law needs structures to ensure that the students have an effective, sufficient and independent voice in all issues concerning them.

Particularly only two of all present students could confirm that they had been asked to feedback to their study programme. Most of them were already in a Master Programme of the faculty of law after attendance the Bachelor Programme at the same university without any participation in an evaluation process during all these semesters.

In the Provisional Report the ET made the following

Recommendation:

- The faculty has to develop structures to make sure that the students have a voice in all issues concerning them. Particularly it is indispensable to realize a qualified evaluation process including each student at least once every academic year.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET upholds the above Recommendation.

3 GENERAL LAW BACHELOR PROGRAMME ACCREDITATION

3.1 Academic programmes and student management

The ET acknowledges that like other European countries (e.g. Germany, Austria) Kosovo has opted not further to follow the Bologna-model for the law studies. The study scheme in place at the UP FL 4 years (bachelor) + 1 year (master) + 3 years (PHD), thus, corresponds to the experience of other European countries.

In general, the Bachelor programme corresponds to comparable standards in Europe, has been influenced by European models and as to its set-up can compete with them as to range and academic aims, even though the quality necessarily suffers from the underlying financial constraints which have already been mentioned.

The ET finds that, irrespective, of all deficiencies and limitations which will be referred in the following lines, the set-up of the Bachelor programme justifies leading to the degree of a graduated jurist.

The Mission Statement of the UP FL (see SER, p. 173) underlines that the FL aims at providing qualified students "to meet the theoretical and practical challenges of a legal profession". The Bachelor programme as it is set up on the paper certainly corresponds to this statement. There are doubts, however, at the ET that the big amount of students together with the lack of rooms, staff and law literature allow to "overcome the traditional approach to legal education" and to integrate the case method and legal reasoning. Due to the leading role of the UP FL for the law labour market in Kosovo, the employability of law students having passed a Bachelor programme is laid down by the UP FL. This does, however, not mean that a competitive market would them consider employable. Financial constraints and all ensuing consequences seem to be the major obstacles to overcome for realizing the goal of employability and lead also to a problematic ratio between number of staff and number of students.

The structure of the Bachelor programme evaluated against the large number of students, given the staff, rooms and library as well as other infrastructure available cannot give sufficient opportunity for independent study, reflection and analysis.

From the calculation of an ECTS credit (25 - 30 hours per week; see SER, p. 12) compared to the number of ECTS per lecture and totality of ECTS to be achieved per semester follows that the proportion of independent study time compared to classroom units and distant learning, as far as applicable, is well-balanced. At the examples of Public International Law (this should be the correct translation; SER p. 14) or Constitutional Law (both 3 + 1 hours providing each for 7 credits), the ET proved that the allocation of ECTS is appropriate and comprehensible.

The ET finds that the workload required for the academic programme is manageable for students. However, they suffer from lack of available literature and sufficient time affordable to them by members of the staff.

The teaching methods and content of teaching units, as shown by the syllabi, are sufficient for the successful achievement of the programme's goals and outcomes.

In practice, however, the large amount of students and lack of infrastructure in most cases will not offer to the staff any alternative to frontal lecturing. At the site visit the acting dean confirmed that most of the exams are being done in writing and only partly multiple choice questions are being used. Oral exams are being used in case of (repeated) failure at the exams in writing. This circumstance seems to justify in the opinion of the ET that no bachelor thesis is asked for. The students throughout their studies acquire the capacity solving legal cases in writing and issuing small expertizes on legal issues.

At the site visit it was specified that the entrance exam, which has to be passed by all students, is being done in writing, includes a combination of multiple choice test and answer to a question as well as a language test as to the use of the Albanian language. Such admission criteria and procedure in the opinion of the ET measure up to international standards.

Regarding its content, the ET feels the necessity to state that the description of the syllabi shows considerable overlaps of lectures offered in the bachelor, Master and PHD programmes, which may or may not correspond to how the programs are run in reality. At the site visit members of the staff of the UP FL emphasized that no doubling of information provided in a programme which has to be passed before entering the next programme takes place. Where lectures in different programmes have the same title, they either by their type (e.g. seminar/lecture), by the method applied (e.g. frontal teaching/students' contribution) or by their contents (other details under the same general description) deviate from each other. But except for these oral statements no evidence has been delivered to the ET that this is the case.

The ET is willing to grant the UP FL the benefit of doubt, however, urges for a future SER to show in a general part covering all programmes the programme logics and in a special part adjust the course syllabi accordingly. The overlap of academic content between the various curricula currently is neither comprehensible nor fully transparent.

More ominously, the ET came across copy pastes of parts of syllabi (e.g. course description Master Civil Law: Civil Procedure Law and Civil Procedure Law II), also detecting that some syllabi had not been completed, or included parts in Albanian language without translation or were simply poor according to their contents. The majority of syllabi allow, however, for evaluation of their contents, method, aims and purposes.

Finally, several aspects of the general design of the BA Study program (pp. 12-13 of the SER), were found to be problematic from the perspective of the gradual formation of prospective lawyers, and in the opinion of the ET deserve some reconsideration by the academic authorities at the UP FL.

These problematic features comprise, at least, the following:

- 1.- It does not seem appropriate from a pedagogical point of view that the subject "Sociology" is taught in the 2nd semester, after –and not before– "Sociology of the Law", which is taught at the 1st Semester, having in mind that "Sociology of the Law" is a special branch of Sociology.
- 2.- It does not seem appropriate from a pedagogical point of view that the subject "Parliamentarian Theory and Practice" is taught in the 1st year, before – and not after– "Constitutional Law", which is taught at the 2ndSemester, having in mind that Parliamentary Law is an special branch of

Constitutional Law, the study of which demands some previous knowledge of the main categories of Constitutionalism.

3.- It does not seem appropriate from a pedagogical point of view that the subject "International Organizations" is taught in the 4th semester, before –and not after– "International Public Law", which is taught at the 5th Semester, having in mind that international organizations are created and operate within the framework of International Law and, therefore the study of such normative framework should be previous to the study of international organizations. The same is being said of "International Law on Human Rights".

4.– It does not appear to be pedagogically justified that such a specific subject as "Competition Law" is studied in the 1st Semester, and not moved to subsequent courses, once basic more formative subjects have been properly addressed. The fact that the SER does not provide any information about its content does not help grasping the real interest of this subject.

5.– Some subjects bear a title that either does not clearly reveal their content, or is clearly inappropriate. Supposing that "Terrorism" or "Organized Crime" should remain as an independent subject –and not included as a relevant portion of the syllabus of Criminal Law, as it seems appropriate– its title should immediately being changed for "Legal Aspects of Terrorism", or a similar one.

Additionally, it is unclear what "Positive Constitutional Law" means, especially as compared with "Constitutional Law", since this title provides grounds to believe than not only positive, but also non positivated Constitutional Law is taught at the UP FL.

6.– Having in mind that the ET got ample assurances from the UP FL faculty on the high level of attention that EU Law received in each and every of the subjects that comprised the BA curricula, the attention specifically devoted in the curriculum to "EU Law" (on the 6th semester) should be more specifically devoted to EU Institutions, and EU sources of the Law; such specification should be clearly stated in the title of the subject; and it ought to be moved to an earlier stage of the formative process.

7.– Considering the fact that the BA Programme in Law comprises courses on subjects which, despite not being juridical, are undoubtedly essential for the proper formation of a jurist who expects to be intimately connected with the society he is going to be operating in, like "Sociology" and "Economy", it does not seem logical that a similar course in "Political Science" is not included in the BA programme too. Such course would allow prospective jurists to better understand the close connection between Law and Politics, and their mutual influence.

8.– The course "Massive Communication" (fourth semester) does not seem to be justified in the curriculum of a Bachelor in Law. The contents, according to the course description, underlines this finding. Even if an elective course, the title and content should be changed so as to show "The Law of Mass Media" at least. But moreover it is questionable whether not to select a more representative topic from the area constitutional/administrative law.

9.– Neither the course description of public international law, nor those of constitutional law mention the UN Security Council resolution 1244 (1999) legal framework that has been found in legal effect by the International Court of Justice dealing with the Kosovo Declaration of Independence.

Even if it has to be conceded that - from Kosovo perspective - this has a political and even ideological dimension, not to touch upon such a key issue at the very basis of the Kosovo legal order is simply misleading.

10.– The ET regrets not having been provided with syllabi of such important lectures such as civil law and civil law clinic (third semester), economical policies (third semester), cadastral law (third semester), private international law (fifth semester), local administration (fifth semester), forensics, penal law clinics (sixth semester), stock-market and business in stock exchange or having been provided with wrong syllabi (public international law/fifth semester, but correct in the separate attachments; practical court abilities/fifth semester). Criminal liability of legal persons appears two times with different content. The course description of international business law (seventh semester) simply repeats the title of the course and appears rather poor.

In the Provisional Report the ET made the following

Recommendations:

--- The ET recommends that a future SER shall show in a general part covering all programmes the programme logics, and in a special part adjust the course syllabi accordingly, and that its final presentation be submitted to a thorough, global revision

--- The ET recommends eliminating the deficiencies shown as to syllabi, course descriptions, and course sequence as soon as the appropriate mechanisms make it possible.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET feels pleased that the UP FL commits to improve the quality of the SER so that inconsistencies and misunderstandings will be avoided in future.

As to para 1 above, the ET welcomes the agreement of the UP FL.

As para 2 above, the ET is in favour of the option to have the course transferred to the 4th semester.

As to para 8 above, the ET welcomes that the title of the course will be changed in order to reflect contents related to law and welcomes the contents as shown by the comments of the UP FL.

3.2 Staff

Reference is made to the general part above and to the respective recommendations.

4 MASTER PROGRAMMES ACCREDITATIONS

4.1 General remarks

4.1.1 General Structure of Bachelor Master and PhD Programmes

All master programmes suffer from the lack of structural logics between Bachelor, Master and PhD programmes, which is a general phenomenon for all Master Programmes, and PhD programmes at the UP FL. Thus, there is a considerable overlap between the various curricula, which could also not be justified at the oral discussion with staff members running the respective courses during the site visit.

The ET is aware of the massive structural changes which have been made in the last 10 years from a single master programme, to a 3 year bachelor programme + 2 years master programme + 3 years PhD and finally to 4 years bachelor programme + 1 year master programme + 3 years PhD; but the current programme design leads to a massive problem of overlapping courses.

This problem leads to further negative effects: The branches of the University of Prishtina offer the same programmes and the branches are not in the position to change the programmes, which multiplies this fatal structural error. The University of Prishtina is the leading player in academic programmes; this leads to further multiplying through copying the programmes by the private colleges.

To illustrate the problem the credits for three subjects have been aggregated over the three levels with the following result:

- Civil Procedure Law: 27 credits
- Private and Civil law: 37 credits
- Law on Obligations: 22 credits

With all respect in regard to the complicated situation, this course structure must lead to a massive overlapping, which was also confirmed by the students.

In the Provisional Report the ET made the following

Recommendation:

- The ET strongly recommends a complete re-design of the master programmes.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET welcomes the commitment of the UP FL to avoid overlaps of courses in the programmes dealt with. As to the remarks on Constitutional Law the ET feels pleased that its concerns are considered by the UP FL. The ET now understands the role of the Scientific Council, however, holds that the problem of numbers continues to stay up to a certain degree as to the Master Committee.

4.1.2 Admission Criteria and Enrolment of students

After their site-visit ET asked the faculty to specify the admission criteria and Enrolment of students as additional documents. But the additional documents sent by the faculty June 26, 2015 did not contain any further information in this regard!

Following the previous accreditation and reaccreditation processes the ET accepts the admission criteria all in all.

For a good advance of the Master Programmes the faculty has to attune the syllabus with the admission criteria of students. The Master Programmes have to consider if the students are already graduated with a Bachelor degree in Law and open to specify programmes for students with other bachelor degrees.

The number of students in the Master programmes is between 25 and 70, which is appropriate for Master Programmes, but the selection criteria and processes are not described. The selection process has to be described in detail in the SER and should be completely transparent for all students and university personnel.

In the Provisional Report the ET made the following

Recommendations:

- The Faculty has to examine in which cases and how it is possible to include students without previous graduation in Bachelor of Law in the Master Programmes. One possibility could be two bridging semester for non-law graduates. Some of the Master Programmes could also be limited to law graduates only, like civil law.
- The ET recommends describing the selection criteria and processes for the enrolment in detail on the website and in the next SER. The process has to be completely transparent, e.g. publishing the process: who applies, is selected and the justification of the decision.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET upholds the above Recommendations.

4.2 Master Programme In Constitutional and Administrative Law

The reasons for the University of Prishtina Faculty of Law to offer a Master Programme in Constitutional and Administrative Law. are numerous, and the ET is eager to acknowledge them. In a State which considers itself independent and in which democratic institutions are yet to be fully consolidated, Constitutional provisions are gradually been developed, and basic laws are still in the process of being drafted, and in which existing laws are yet to be fully scrutinized by the academic community, the creation of a MA Programme in Constitutional and Administrative Law which may serve to refine the legal education of the future political and administrative elite of Kosovo –and of a PhD Programme in such matter, too– is a must. Moreover, Constitutional and Administrative Law are two closely related areas, with many shared interests, which quite frequently appear closely intertwined in programmes at all levels. Therefore the ET has not doubt that such MA Programme fully fits into the institution’s mission statement and principles of employability, and may have a positive interaction with the job market, especially at the public level.

The academic degree corresponds –with the limits mentioned below– to international standards, and its academic aims are appropriate, too. The workload required for the academic programme seems to be manageable for students. Also, the number of faculty involved in the teaching of the programme seems to be higher than in many others, thus making the student/professor ration slightly better (or, more precisely, lees dramatic) than in other MA programmes.

However, several problems have been detected in the design and application of this Programme.

The problem of overlapping among the subjects of this MA Program and some of those contained in the BA syllabus is undeniable on the basis of the SER, was acknowledged by the professors in charge of the Master on occasion of the site visit carried out by the ET, and was also aired by the students participating in the meeting with the ET.

This overlapping is revealed in the following table:

Title/s of the subject	Position in the BA	Position in the MA
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Positive (or Applicative) Constitutional Law		
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8th Semester, Obligatory, 8 ECTS		
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1st Semester, Obligatory, 5 ECTS		
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Parliamentarian Theory and Practice / The theory and practice of parliamentarism		
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2nd Semester, Elective, 5ECTS		
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1st Semester, Elective, 3 ECTS		
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Labour Law		
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6th Semester, Obligatory, 7 ECTS		
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2nd Semester, Elective, 3 ECTS		
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Constitutional Court / Constitutional Litigation Processes (titles differ, but goals are identical)		
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4th Semester, Elective, 5 ECTS

1st Semester, Elective, 3 ECTS

All in all, these four subjects comprise 14 credits, which amounts to roughly 25% of the entire workload of the Master. The argument raised during the SV by some faculty member, that these are not duplicate courses but courses specifically addressed at students coming from other Faculties, who lack a basic legal education, is by no means sustained by the SER, which quite clearly states that this Master is open only to Law graduates.

A reformulation of these subjects –not only of their title, but also of their content– after a close consideration about whether these issues belong to the BA programme (and therefore should be substituted by new ones at the MA level) or, conversely, they belong to the MA level (and therefore should be substituted by new ones at the BA level) is urgent.

Besides this, one additional objection and two requirements have to be mentioned.

The objection refers to the number of students (70) suitable to be admitted to the Programme, which is considered excessive for the success of such program. It will suffice to mention that if that maximum number of students were enrolled and each one were to write a Master's Thesis, each full time professor would end up mentoring no less than six MA thesis per year, which appears to be an excessive figure. If the figure provided in the SER (p. 43) of 147 students currently enrolled in the Master were to be true, the situation would become unsustainable. A limitation to a maximum of 50 students is suggested.

The first requirement refers to the admission process. While the requirements for admission to the MA program (to be a graduate in Law or have the equivalent of 240 ECTS credits; to have achieved a minimum GPA of 7.5; to have completed and submitted the application for admission; and to have average knowledge of English) seem adequate, and also seems adequate the criteria for selection (according to GPA), transparency in this process should be considered paramount. Hence, it is strongly advised that lists of candidates for admission, alongside with a list of their merits, are published as soon as the enrolment process is opened, and that admission proposals are subject to review before independent academic committees in case they were challenged.

The second requirement concerns the evaluation of the MA thesis. Information provided by the SER states that "the [MA] thesis will not only be reviewed by the commission department on content, but will also be reviewed by the Scientific Council - made up of all the professors of the Faculty of Law, to ensure that the document follows the guidelines for University' Thesis. Because of this [...] deadline for submission of thesis for Master is 3 months after the finalization of the work of the course". This process seems unclear in the first place, since nor the role of the Commission Department and the Scientific Council are clarified, nor is it specified the composition of the former, so potential for conflict in the case of diverging views is not difficult to foresee. And it seems cumbersome, if not plainly inapplicable: since the UP FL is currently managing no less than five MA programs, the members of the Scientific Council could end up being required to evaluate up to 350 MA thesis per year, an entirely unaffordable figure. Hence, a simpler, one-step procedure for the public defense of the MA thesis appears to be necessary.

In the Provisional Report the ET made the following

Recommendations:

- The subjects in which an overlapping was detected ought to be reformulated –not just by changing their title, but also their content– after a close consideration about whether these issues belong to the BA programme (and therefore should be substituted by new ones at the MA level) or, conversely, they belong to the MA level (and therefore should be substituted by new ones at the BA level).
- Full transparency in the admission process ought to be granted, and its results subject to administrative review.
- The process for the final defence of the MA thesis should be streamlined.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the upholds the above Recommendation, but now understands the role of the Scientific Council, however, holds that the problem of numbers continues to stay up to a certain degree as to the Master Committee.

4.3 Master Programme in Financial Law

Although the ET is well aware that the different Master Programmes at the UP FL have been created within a common normative and factual environment, may share many of their goals, and even may be willing to apply identical criteria for their management, the fact is that the SER presented by the management of the “Master Programme in Financial Law” is little –in fact: very little– more than a “copy & paste” version of the SER presented –quite likely– by the “Master Programme in Constitutional and Administrative Law”. The goals of this MA Programme are identical save for a couple of changes to the previous one, and they even reproduce its reference to “the national government and the protection of constitutional rights” (see SER pp. 35 & 47); students are expected at the end of the Master to be able to understand “constitutional cases in court” (see SER p. 47); the goal of the envisaged Master’s Thesis is “to showcase student knowledge and skills needed to work independently as an expert on administrative law / constitutional” (sic) (see SER p. 53); and even the number of current students (147), and the number of male and female graduates over the last three years (6+1) happen to be exactly the same, as it is also identical the supposed ratio between students and professors (5) despite the fact that the number of professors is here considerably smaller than in the above mentioned master (see SER p. 55). And even the final sum of credits appears to be 72 (as in the Master Programme in Constitutional and Administrative Law) and not 60, as specified in the introductory table of this Master (compare SER pp. 45 & 49).

As far as the actual content of the Master is concerned, the ET has been able to detect one very obvious –and some potential– overlapping between subjects included in the Module of “Financial Law Sciences” (BA, 8th Semester) and the Program of this Master. However, since the SER does not provide any information whatsoever about the above mentioned subjects in the BA, it is impossible to fully determine whether this overlapping exists (“International Financial Institutions” / “Markets and Financial Institutions”, “International Economy Law” / “Economy and Legal System”), beyond the undeniable repetition of the subject “Tax and Budget Law”, present at both levels. Conversely, the ET has not been able to find any single subject devoted to methodological issues, which may help graduate students in the task of advancing their research. Considering the fact that this Master foresees the need to write and publicly defend a Master’s Thesis, whose value is equivalent to one third of the entire workload on the Master (20 out of 60 ECTS), and considering as well the fact that students do not receive any formation in research techniques and methodology throughout their BA studies, disregarding such a subject appears to be a major mistake.

In its Provisional Report, the ET held that

considering this, it is the opinion of the ET that any evaluation of this Master Programme would be negatively conditioned by the unreliability of the SEC, and should therefore be avoided.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET welcomes the new description of the Master in Financial Law and the courses and credits attached to it and withdraws the above comment.

4.4 Master Programme in Criminal Law

The faculty presented in the SER the Master Programme Criminal Law (pp. 57-73) side to side with four other Master Programmes. In this context the Programme has its own concept, a specific scientific area and its own professional profile.

Considering the size of the faculty of Law with diverse academic Bachelor and Master programmes this programme completes the academic offer as part of the institution's mission. In consideration of the actual situation of Kosovo and diverse unsolved problems of crime the graduates of this programme have good chances in the labour market.

The standards of the programme's quality, range and academic aims explained in the SER 2015 are all in all in accordance with western European standards.

Regrettably during the site-visit of the ET it was only possible to speak to one responsible person of this Master Programme. So it was unfortunately only within narrow limits possible to check the concrete realisation of this programme.

Nevertheless, the allocation of ECTS seems to be appropriate and comprehensible and the workload required for the academic programme seems to be manageable for students.

The syllabus of this Master Programme contains all-important subjects that are sufficient for the successful achievement of the programme's goals and outcomes (competences and qualifications, knowledge and skills). But there is no clear distinction between the content of the Bachelor and the Master Programmes. It is indispensable to coordinate both academic programmes with regard to the different levels.

The bibliography for some units is only English and for other units only Albanian. It seems to be important to have in every unit the bibliography shown in both languages.

A big part of the report (pp. 69-73) does not concern the Master Programme Criminal Law but all (Master) Programmes of the faculty of law.

To make more and concrete recommendations it would have been necessary to speak with all persons responsible for the details of the programme.

4.5 Master Programme in Civil and Property Law

The Master Programme in Civil and Property Law is a logical extension for bachelor students, which is also evident considering the large number of students, whose interests of specialization are intended to be met. The statements in the SER are very general, like “Therefore, the aim of this master program will consist in meeting the needs of Kosovo for a greater number of attorneys - lawyers specialized in transactions.” (SER, chapter 2.2) and similar chapter 2.6, “has a great importance for Kosovo. This program will enable the creation of specialized lawyers who will have the key role in the transformation of the local market”; under the bottom line the faculty provides no aims and they also do not provide any evidence for labour market needs, which has been criticized in several sections of our report.

The academic degree corresponds to international standards, if one of the admission criteria is the degree of a bachelor in law; this goes in particular for master in civil law. It is mentioned in chapter 2.12 that targeted students need to have a bachelor of law degree from an accredited university with 240 ECTS credits.

The maximum number of students is set between 25 and 70, which is appropriate, but the selection criteria and processes are not described. Because of the masses of students the process has to be described in detail in the SER and should be completely transparent for all students and university personnel.

The anticipated study results in chapter 2.7 are adequate.

The programme structure is not clear, because of the following issues:

1. The sum total of credits for the first semester is 29 instead of 30.
2. The second semester offers two mandatory courses, each 10 credits one supplementary course with 5 credits and a Master Thesis with 20 credits, which is totalled with 25 without the supplementary course, which would be too less for the second semester. If the supplementary course is mandatory, then it has to be indicated as mandatory which is not the case at present.
3. The relationship of mandatory and supplementary courses is unclear and at least one credit point is missing for 60 credits.

One of the largest problems is the design of courses for the Master’s Programme, which leads to a massive overlapping of content with regard to the Bachelor Programme. The Bachelor Programme offers the following courses in the civil law domain:

1. Civil Law (M, 7), Consume and the rights of consumers (E, 5), Civil Law clinic (E, 5), Family and Legacy Law (M, 6), Law Clinic from Family and Legacy Law (E, 5), Liabilities Law (M, 6), Private International Law (M, 6), Arbitrage (E, 5), Labour Law (M, 7), Finances and Financial Law (M, 6), Bank Laws (M, 5), Civil Procedure Law (M, 7), Business Law (M, 5).
2. In the eight semester the students have to choose one of the Specialisations/Modules: civil law science offers the following courses: Object Law (M, 8), Civil Procedural Law – special part (M, 8), Contractual Law (M, 7), Intellectual Property Law (M, 7).

3. The topic civil procedural law continues in the Master Programme with another two courses: civil procedure law (I) (M, 5) and civil procedure law (II) (M, 5), aggregated with the Bachelor Programme the students have to study 17 credits procedure law! Such course structure must lead to a massive overlapping, which was also confirmed by the students.

4. A similar situation exists in the case of civil law, considering that there is no difference between civil and private law. Without going into details a massive overlapping between the Bachelor and the Master Programme is evident.

5. A similar situation but not as critical can be found for the following courses:

Law on obligations 8 credits + another 4 credits in the Master Programme, all in all 12 credits. This is quite high but barely acceptable. Similar for Intellectual law and copyright law.

6. On the other side important topics are missing like EU-Directives for ECommerce, Data protection, Electronic Signatures, Distance Selling and so on.

7. The process of developing the master thesis, training of writing skills and methodologies is not offered in the programme. During the SV discussion the process was described, but it is missing in the SER and the appropriate course is also missing.

The ET is aware of the massive structural changes which have been made in the last 10 years from a single Master Programme, to a 3 year Bachelor Programme + 2 years Master Programme and finally to 4 years Bachelor Programme + 1 year Master Programme; but the current overall programme design leads to a massive problem of overlapping courses.

The master thesis is calculated with 20 credits, which is quite high, but can be accepted. The workload which is required for the academic programme would be manageable for students. There is no workload evaluation established, which is necessary to counter check if the credit estimations are appropriate.

The Master Programme is not linked to the research activities. To include it could be helpful to increase the research output.

In its Provisional Report, the ET made the following

Recommendations:

- The ET strongly recommends a complete re-design of the Master Programme.

The current programme is not adequate for re-accreditation. The ET recommends developing a course on academic writing and methodology, which includes the supervision process. This should be a standardised course and process at least for each cathedra. A common amount of credits for master thesis would be around 15 credits.

- The ET recommends a slight re-design of the courses to reduce the risk of overlapping. This could take place by merging the courses which overlap. The ET recommends describing the selection criteria and processes for the enrolment in detail on the website and in the next SER. The process has to be completely transparent: who applies, who is selected and justification of the decision.

- The ET recommends establishing a workload evaluation.
- The ET recommends linking the student research activities to the research plan of the faculty.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET welcomes the commitment of the UP FL made as to chapter 4.1.1 above and 4.7 para 3 below which include to help to solve the problems raised in the above recommendations. Thus, the objection to re-accreditation is withdrawn.

4.6 Master Programme in Contracts and Commercial Law

The Master Programme in Contract and Commercial Law fits perfectly to the institution's mission statement and offers an interesting option for the civil law domain. Content is focused and offers also an interesting possibility for professional lawyers, because of the interesting content mixture. The ET already discussed numerous times the question of employability, but based on the limitations of 20 to maximum 60 students, there should also be chances on the labour market.

Nevertheless more evidence with regard to the labour market and alumni development would be appropriate.

The aims of the programme are quite clear and offer a fresh and unique approach.

Besides the main aims additional goals are mentioned from networking to capacity building and to teaching material development. Chapter 2.6 of this programme could be used as blueprint for the other programmes.

The programme structure is appropriate, but the main focus is to be laid on content (50 credits); only 10 credits are allocated to the master thesis, compared to the other programmes this is just 50% of the credits. A good compromise could be raising to 15 credits and decreasing from 20 to 15 credits in the other programmes. There are arguments for standardization and also good arguments for individual programmes in the faculty. With regard to the lacking resources, a standardized master thesis process would be appropriate for each subject. The second critical issue is that Master Programmes should focus on more independent self-studying, which is not reflected in the number of courses and the course descriptions.

The designed courses fit together and offer also some non-legal topics. In some areas there are high risks of overlapping courses:

1. Commercial contracts (M, 5) and the course in the second semester International Commercial contracts (M, 5) and the bachelor course Contractual Law (M, 7)
2. Business economy for lawyers (M, 5) and the bachelor course Economy (M, 6)
3. Advanced course on the property law (M, 5) and in the second semester Industrial property law (M, 5) and the bachelor course object law (M, 8!)
4. Commercial law in the EU (M, 5) and the bachelor course Business law (M, 6)!

The academic degree LLM corresponds to international standards.

The workload which is required for the academic programme would be manageable for students. There is no workload evaluation established, which is necessary to counter check if the credit estimations are appropriate.

The Master Programme is not linked to the research activities, which could be helpful to increase the research output.

The ratio just for this programme would be appropriate; the problem is that the teaching staff also teaches in other programmes.

In its Provisional Report, the ET made the following

Recommendations:

- The ET recommends developing a course in academic writing and methodology, which includes the supervision process. This should be a standardised course and process at least for each cathedra. A very common amount of credits for master thesis would be around 15 credits.
- The ET recommends light re-designing of the courses to reduce the risk of overlapping, like merging the courses which overlap.
- The ET recommends describing the selection criteria and processes for the enrolment in detail on the website and in the next SER. The process has to be completely transparent: who applies, who is selected and justification of the decision.
- The ET recommends establishing a workload evaluation.
- The ET recommends linking the student research activities to the research plan of the faculty.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET upholds the above Recommendations.

4.7 Master Programme in International Law

The Master Programme in International Law has been developed through international cooperation with professors in public international law at the university of Graz, In particular Prof. Wolfgang Benedek, and in the framework of a twinning project, financed by WUS and subsequently by the European Commission (see SER at p. 105). It is, thus, without doubts, corresponding to international standards and the programme's quality, range and academic aims are appropriate to the academic degree. The allocation of ECTS is appropriate and comprehensible, the workload manageable for the students, the teaching methods and content of teaching units sufficient for a successful completion.

The programme suffers, however, from the lack of structural logics between Bachelor, Master and PHD programmes which is a general phenomenon for all Master Programmes at the UP FL. Thus, there is a considerable overlap between the various curricula, which could also not be justified at the oral discussion with staff members running the respective courses during the site visit. The content of none of the courses (Theory of International Relations, International Organizations, Public International Law, International Private Law, European Union Law, Diplomatic and Consular, International Economic Law) has been presented in such a manner that there could be seen a difference between the Bachelor and the Master Programme.

As to International Economic Law (SER, at p. 114), the contents of Diplomatic and Consular Law was simply copy-pasted. At the site visit the respective staff members explained that in reality, the contents is not repeated, but at the Bachelor Programme level an introductory and basic information is being given for a large number of students, whereas on the Master Programme level for a considerably smaller amount of students an in depth information is being provided.

The ET concedes that there is a certain dilemma, since the Master Programme intends to stand alone as such, in particular, intending to attract also foreign students in the long-run, but at the same time is based on the courses in international law having been passed by the bachelor students before applying to a Master Programme. The ET recommends to substantially amend the course content on the Master programme level, e.g. by changing the titles of the course to "Selected problems of ..." and replacing the method of frontal teaching by participatory technics involving the students in group work and/or own presentation of topics.

Given the problems that arose around and with regard to the Kosovo in public international law, it is regrettable, that the whole Master Programme simply is set up like any other programme of a master in international law, offered by any other university on earth, and does not offer a particular Kosovo content. It can be expected that the students passing the Master Programme will be involved in the conflict solution with Serbia, at least some of them. Courses like "Negotiation Technics", "The Law of Armed Conflicts", "Peace Treaties", etc. would make sense at the current moment of time and would provide particular knowledge and skills for masters in international law entering the Kosovo labour market. At the site visit one staff member, participating himself at the negotiations with Serbia, informed the ET, that such references to the actual situation and needs of Kosovo are being included in the courses irrespective of their general title. The ET recommends that this be being shown in the course descriptions.

The description of the Master Programme in International Law is showing workshops, practical sessions, simulation and problem solving, but does not provide any information, in which courses

these technics are being used or which courses are run as workshops or practical sessions. The ET recommends that such specification will be given in future.

The concept for the Master thesis (SER, at pp. 113 - 115) corresponds to international experience and practice. The assignment of 20 ECTS to the Master Thesis is appropriate.

The SER at p. 105 and p. 108 mentions that 20 (minimum) - 70 (maximum) students are expected for the Master Programme. This is a high number in comparison to international master programmes at other universities and will not be justified by the capacities of the Kosovo labour market. A number of 15 - 20 students seem to be reasonable pending the results of the proposed study of the law labour market. The involvement of 16 permanent staff members would create an excellent ratio to such number of students. The entrance criteria (results of exams on Bachelor level and excellent knowledge of languages) would allow for a regulation as to end up at a reasonable number of highly qualified students.

In its Provisional Report, the ET made the following

Recommendations:

- The ET recommends to clearly delimitate the content of the courses on the Bachelor and on the Master Programme levels from each other, so that basic information is provided on the Bachelor level and in depth information on the Master Programme level.
- The ET recommends that the technics of participatory integration of students in lectures (workshops, practical sessions, simulation and problem solving) is being broadly used on the Master Programme level and shown in the course descriptions.
- The ET recommends that the number of students in the Master Programme International Law is determined by 15 - 20 students or at such other number a future study on the Kosovo law labour market will propose.
- The ET recommends including and showing a particular Kosovo input for the Master Programme in International Law, corresponding to the particular needs of Kosovo and assigning to the Master Programme a specific Kosovo profile.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET upholds the above Recommendations to the extent site visit and subsequent information do not let them already appear as fulfilled. The ET welcomes that the staff will bring to surfaces differences between the BA. MA and PHD Programmes and their structural logic in future.

As to paras 3 – 6 above, the ET welcomes the commitments made by the UP FL.

5 PHD/DOCTORAL PROGRAMMES ACCREDITATIONS

5.1 General Remarks

5.1.1 General Structure of PhD Programs

The configuration of the PhD Programmes, as stated by the SER, establishes that in the first semester students will be receiving 30 ECTS after having attended a series of mandatory courses on certain subjects; in the second semester, some additional 30 ECTS from a series of workshops of three subjects in the field of his specialization; in the third semester, 30 ECTS after ratification of the proposal and doctoral mentor appointment by the Senate of the University of Prishtina; in the fourth semester; 30 ECTS credits “after a considerable part of his/her PhD dissertation in a scientific, internationally peer-reviewed, impact-factor journal from the relevant field”, and finally in the fifth and sixth semester, the student collects 60 ECTS credits on occasion of the public defence of his/her doctoral thesis.

Leaving aside the fact that this quantification of credits seems at least capricious – there is no evidence that the effort required for having an essay published in a journal equals that of passing three courses, or the effort of attending three workshops equals that of writing a PhD proposal– two aspects of this regulation seem problematic, and potentially prejudicial for the interests of prospective PhD students:

– One concerns the tasks to be assumed during the first and second semester. 30 ECTS in courses, plus 30 ECTS in workshops amounts to almost twice the workload (in terms of teaching hours) of a Master, which should fall over the shoulders of a very reduced team of professors, since at the PhD level only ordinary and associated professors with a Doctorate should be in charge of the classes: 9 in the PhD Programme in Civil Law, 8 in the PhD Programme in Constitutional and Administrative Law, 5 in the PhD Programme in Criminal Law, and just 3 in the PhD Programme in Financial Law. In the opinion of the ET, this happens to be a highly unrealistic calculation.

– The second concerns the requirement that a considerable part of the prospective Doctor’s PhD dissertation is published “in a scientific, internationally peer-reviewed, impact-factor journal from the relevant field”.

Given the rather reduced scenario of legal journals in Albanian language, the highly competitive scenario of international journals, and the usually lengthy process of manuscript review carried out by these, which may take from six months to a year, if not more, having “a considerable part of his/her thesis” published seems an excessively demanding requisite, suitable to block the student’s progress in the pursuit of his/her PhD.

In fact, taking into consideration that none of the five PhD Programmes submitted to our consideration has been capable of producing a single Doctor in the last three years (2012/2013, 2013/2014 and 2014/2015), and –more ominously– most of the students enrolled are not even making progress at the “adequate” pace, the ET cannot avoid the impression that their configuration is unsuitable for their purpose and incompatible with the actual situation of the UP FL.

In its Provisional Report, the ET made the following

Recommendation:

- A sensible reconsideration of the general structure of the PhD Programmes in order to make them more realistic and assumable, both for professors and students alike, is highly recommended by the ET. This reconsideration may include the fusion of all five programmes in one single PhD Programme in Law, putting together resources, activities, funds and –above all– professors involved.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), as to the general comments above, the ET welcomes the additional information which should be included into a future SER from the beginning in order to avoid misunderstandings.

5.1.2 Admission Criteria and Enrolment of students

Regarding the configuration of the PhD Programmes in Constitutional and Administrative Law, in Criminal Law, in Civil Law and in Financial Law described in the SER, one source of concern derives from the way in which the selection procedures appear to be construed (SEC, pp. 118-119, 130, 138, and 146). In the case the number of students –meeting the criteria for admission– happened to be higher than the number of positions opened, evaluation criteria will include:

“success at school in previous studies; the interest for scientific research; published works; the recommendations of two professors from the relevant field; research proposal of areas; the conversation with the candidate; The average grade of previous studies; publications in the field of study; participation in scientific conferences; knowledge of English language (in the case of specific programs, priority setting criteria in ranking can be another language)”, and the decision on the admission of students will be taken by The Senate of Prishtina University. In the case of the PhD Programme in International Law criteria for admission are simply not referred.

After their site-visit ET asked the faculty to specify the admission criteria und Enrolment of students for the PhD Programmes as additional documents. But the additional documents sent from the faculty June 26, 2015 did not contain any further information in this regard!

In the opinion of the ET, these selection criteria lack clarity and objectivity and demand simplification and transparency. Criteria (all in all, ten) are all too many, some are redundant (“published works” and “publications in the field of study”, or “success at school in previous studies” and “The average grade of previous studies”), some highly subjective and prone to partiality (“the interest for scientific research”, or “the conversation with the candidate”) and there is no hierarchy among them. As a consequence, their joint application is quite likely to lead to unpredictable –and quite likely also arbitrary– consequences. Therefore the ET strongly recommends that these criteria be reduced to no more than five, that each one is given a maximum number of points in the overall calculation of the merits of each candidate, that these value is made public, and that the weight of the subjective items (mentioned above) is not more than 20% of the total.

Additionally, the ET suggests the convenience of delegating in some organ of the UP other than the UP Senate the final decision on admission, since this is a rather practical question that should better be decided at a lower echelon, and inside the Faculty of Law.

In its Provisional Report, the ET made the following

Recommendations:

- The faculty has to improve admission criteria and enrolment of students. This procedure needs clear criteria with specified weightings, and has to be published including the concrete valuation for every candidate.
- It is suggested to reduce to number of criteria. The weight of the subjective items cannot be more than 20% of the total.
- The procedure must realize a transparent structure of decisions considering a primary responsibility of faculty of law.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET upholds the above Recommendations.

5.1.3 Didactic Concept Methodology and Academic Writing

On occasion of previous accreditation processes, ETs conformed by the KAA made valuable suggestions in order to enhance the quality of the PhD Programmes of the UP FL. Namely, the ET who carried out the 2012 evaluation suggested

– That doctoral thesis be made available to the entire academic community in electronic form on the university website, since “this form of dissemination is strongly in the interest of the university and law faculty. It would allow a greater exposure for completed theses, help deter plagiarism and raise the profile and standing of the doctoral program in the university and beyond”.

– That co-supervision / co-mentoring became the norm for doctoral theses, since this practice might “bring the advantage of providing a more balanced approach to the supervision of a doctoral student as well as insuring continuity should one member leave the institution or otherwise become unavailable.

– That the doctoral programmes started featuring programmes of research skills training or at least provided a training needs analysis for a research students and access to generic transferable skills training, and that a robust formalized review of progress on at least annual basis were introduced.

Though the SER (p. 178) suggests that some progress has been made in all these three aspects of the PhD Programmes, and some good news (like the purchase a domain in the Social Science Research Network) seems to open interesting possibilities, the ET was not entirely satisfied with the evidence found: it was unable to locate and download any thesis from the FL webpage, did not hear from any successful co-mentoring experience and was not able to find references to research skills training in any of the PhD Programmes that were submitted to its consideration.

In its Provisional Report, the ET made the following

Recommendation:

- The ET once again recommends the FL and the UP make arrangements for generalizing the online publication of doctoral theses; that the FL makes co-supervision / co-mentoring of PhD thesis the usual procedure; and that the different PhD Programmes incorporate formalized and comprehensive research training and progress review processes for their PhD students.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET upholds the above Recommendation.

5.2 Doctorate Studies (PhD) In Constitutional and Administrative Law

After a critical consideration of the description of the PhD Programme in Constitutional and Administrative Law featured at the SER (pp. 116-127) the ET reached the conclusion that all three subjects proposed for the 1st semester were described in all too vague terms: the subjects referred were at the core –and were not a specialization– of the respective fields, and the bibliography quoted was broad, general, and excessively local (with most, and in some cases all books in Albanian language). While at the same time, there was no reference to the content of the seminars or workshops to be organized for the second semester after which the ET could form its opinion.

However, on occasion of the site visit, the ET was presented with an entirely alternative programme for the Constitutional Law subject, devoted to “Comparative Federalism”. Though this time the provided syllabus was well constructed, relied on a valuable bibliography and addressed a key political and constitutional issue, the fact that it is in open contradiction with what was featured at the SER, makes it difficult for the ET to provide a reliable opinion, since the SER happens to be –once again– highly unreliable.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET welcomes the commitment made by the UP FL.

5.3 Doctorate Studies (PhD) In Criminal Law

The faculty present in the SER the PhD Programme Criminal Law (pp. 128-134) besides four other PhD Programmes. In this context the PhD Programme has his one conception, a specific scientific area and his one professional profile. In consideration of a very large faculty of Law with diverse academic Bachelor and Master Programmes this programme complete the academic offer as part of the institution's mission. In consideration of the actual situation of Kosovo and diverse unsolved problems of crime the graduates of this programme have good chances in the labour market.

The standards of programme's quality, range and academic aims explained in the SER 2015 are in concordance with western European standard. Regrettably while the site-visit of the ET it was not possible to speak with responsible persons of this PhD Programme! So it was unfortunately not possible to check the concrete realization of the programme.

About Admission Criteria and Enrolment of students see the general part.

5.4 Doctorate Studies (PhD) In Civil Law

The largest master programme is the master in civil law, so the PhD Programme in Civil Law highly contributes to the institution's mission statement. PhD graduates should have employability in the education market; the university itself needs more staff and also private colleges are looking for young talents. It is not clear if the academic title is PhD or Doctor, if it is PhD the academic degree corresponds to international standards; in the other case it would not be up to date.

The structure of the programme is barely appropriate, but as discussed during the SV it is standardized for the whole university. The main weakness is the first semester, with three mandatory courses: Civil Law (10), Law of Obligations (10) and Civil Procedure Law (10). The aggregation of credits of the Bachelor, Master and PhD courses in these domains leads to the following result:

- Civil Procedure Law: 27 credits
- Private and Civil Law: 37 credits
- Law on Obligations: 22 credits.

The allocation of credits on these three topics is way too high and has to be changed immediately. Even if the structure is determinate by the university the faculty could design a programme which is feasible. One possibility could be to use different methodologies and exam methods: short input, statement of the problem and as an exam a seminar paper or conference paper; but traditional teaching the third and fourth time a topic is not appropriate. The following semesters follow international standards and the allocation of credits is appropriate and comprehensible.

The ratio of the academic staff and the students is appropriate. All other important issues are mentioned in the general chapters, like transparent enrolment process.

In its Provisional Report, the ET made the following

Recommendation:

- The ET recommends re-designing the three courses of the first semester.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET upholds the above Recommendation.

5.5 Doctorate Studies (PhD) in Financial Law

The PhD Programme in Financial Law features all the weaknesses detected in the “General Remarks” section regarding its structure (overlapping) admission criteria (lack of clarity and transparency), and didactic concept. Additionally, the portion of the SER devoted to this programme appears once again to have been simply copy-pasted from other PhD programmes without indicating any specific content. Neither is a curriculum shown nor are the proportions between lectures/seminars and the doctoral thesis specified.

However, one additional weakness of very serious nature appears to be specific of this Programme: the lack of a minimal staff to support it.

If we have to take the information contained in the SER (p. 144) as accurate, only three doctors (two of them Associate Professors, and one Assistant professor), since the three Teaching Assistants who do not even have a PhD should not be taken into consideration at this point, pretend to assume no less than 180 ECTS, and make this assumption compatible with their teaching duties at the BA and eventually MA levels. This calculation seems to be entirely unrealistic, and certainly unacceptable.

Additionally, the fact that the number of enrolled students has been steadily dropping in the last years –from 10 in 2012/13, to just two in 2013/2014), and that so far none of them has been able to reach the PhD grade sustains the perception that this is an ill-conceived PhD Programme, incapable of being properly maintained, and lacking of both professors and students.

In its Provisional Report, the ET strongly advised the Faculty of Law to reconsider the fusion of this Programme with other(s) in the field of Public Law, as a realistic strategy for the sustenance of high level Financial Law studies in Kosovo.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET takes note of the additional information provided which eliminates its previous concerns.

5.6 Doctorate Studies (PhD) in Public International Law

The programme for the Doctoral Studies in International Law does not provide the necessary basic information in order to be able to be evaluated. There are only described three sets of courses (Public International Law, European Union Law, Private International Law) in a very general manner. Neither is a curriculum shown nor are the proportions between lectures/seminars and the doctoral thesis specified.

In its Provisional Report, the ET made the following

Recommendations:

To proceed as follows:

1. Define the aims and purposes of the doctoral programme (e.g. recruitment of future academic staff); and its duration.
2. Define the role of supervisor and second supervisor;
3. Define the number of seminar requirements; of eventually practical requirements; of requirements as to publications;
4. Define the requirements as to doctoral thesis; the requirements as to the experts on doctoral thesis; and the requirements as to the defensio dissertationis;
5. Define the academic degree.

Depending on such minimum elements of a respective study plan, the ET will be able to evaluate whether the programme's quality, range and academic aims are appropriate according to the academic degree, whether the academic degree corresponds to international standards, whether the allocation of ECTS appropriate and comprehensible and useful at all, and whether the workload required for the academic programme is manageable for students.

The ET finds that only doctoral seminars and highly specialized courses using participative methods shall be required and no overlap with any Master or Bachelor Programme shall be given.

The ET recommends that particular attention will be paid to the role of the supervising professor(s) and expertises on the doctoral thesis.

Having seen the comments of the UP FL of 28 July 2015 (see below Chapter 6), the ET feels pleased by the additional information having been provided by the UP FL as to paras 1, 2, and 5 above, and welcomes the commitment as to para 4 above which eliminate its previous concerns.

6 COMMENTS OF THE FACULTY OF LAW OF THE UNIVERSITY OF PRISHTINA OF 28 JULY 2015 ON THE PROVISIONAL REPORT OF THE ET**Comments on the Draft Evaluation Report by the team of experts, assessing the study programmes of the University of Prishtina Faculty of Law in the process of re-accreditation by the Kosovo Accreditation Agency July 6th, 2015****Introduction**

University of Prishtina Faculty of Law, has carefully analyzed the Draft Report of team of experts, assessing the study programmes of the University of Prishtina Faculty of Law in the process of re-accreditation by the Kosovo Accreditation Agency. The Staff of Faculty partially agree with some of findings of the report, while we consider that some misunderstandings happened when the self assessment reports were prepared, therefore, not all necessary information were reflected in these assessment reports. The lack of some information in these self assessment reports has directed the ET to draw some conclusions that we consider do not exist in reality. Some of these problems happened due to the management changes that were happening when the process of reaccreditation started. By providing these comments on the draft report, the new management staff of the Faculty of Law, commits itself to further develop the quality of education in the law faculty, as well as addressing some of the findings with which the staff of University agree are important for further development of the quality of education at the Law Faculty. We consider that Law Faculty of University of Prishtina has the most qualified staff from all Public and private Universities in Kosovo. All programs have been created based on the demands for such legal education in Kosovo including public and private sector.

1. COMMENTS RELATED TO GENERAL REMARKS – CHAPTER 2

In relation to the part 2.1 of the draft report, University of Prishtina Faculty of Law considers that Faculty of Law is the main institution offering the legal education in Kosovo. Even though the number of students accepted is high, Faculty of law has started to reduce the number of students from this year. We agree that there is no labor market needs assessment in Kosovo; however, this is an obligation of the Ministry of Education, Science and Technology, MLSW and other relevant stakeholders. Faculty of Law based on the evaluation of its academic staff and due to the international cooperation has initiated the establishment of new master programs such as Master Program in contracts and Commercial Law, which is a new field of specialization demanded by Kosovo legal System. As for the future, Faculty of Law will insist to have an evaluation of the labor market needs in the field of legal studies. Until now the number of students demanding to enter at the Faculty of Law of University of Prishtina has been quite high, sometimes the number of applicants has been three times higher than the number of accepted students.

Regarding the Paragraph 1 of the part 2.2, even though the current number of students is high and Faculty may need additional space, the lectures for students are divided in several groups, and in most of cases are offered by two professors per course. Therefore we do not agree with findings of ET.

Regarding the paragraph 8 of the part 2.2 of the draft report It should be mentioned that LF has concluded/or has exchange with other universities in Europe such as University of Graz in Austria, Law Faculty in Zagreb, Law Faculty in Milan, University of Linz, American Universities etc. Some of the academic staff has conducted research in the above mentioned Universities based on mutual agreements that exist with such universities. It appears that the number of the staff that is able to speak English is considerably higher than it is presented in the Draft Report. For instance, in the Constitutional and Administrative Department, Civil Law Department, Financial Law Department and criminal law department more than half of the academic speaks English. In International Law Department 100% of staff speaks English. Most of young English speaking staff of the Faculty has published in international Journals. Therefore, this conclusion of the ET is not correct because more than 60 % of academic staff of Faculty of Law can speak and write in foreign languages, mostly in English.

Regarding the paragraph 8 of the part 2.2 of the draft report, it is not correct. During the meeting with the academic staff, in which more than 20 professors and assistants participated, 98% of them were English speaking. Separate meetings with Chiefs of cathedra (in these cases some Old Professors), should not be generalized to come to the conclusion that the staff of Faculty of Law is not able to be part of international cooperation. For example, in the master program in the contract and commercial law there were conducted lectures with co-teachers local and international professors from different universities-countries such as Austria, Germany Great Britain, Italy etc.

2. COMENTS RELATED TO PART 3 OF DRAFT REPORT

With regard to recommendation in the part 3.1, Faculty of Law, will analyze in the future carefully SER and syllaby accordingly in order to logically fit in in entire SER. We understand that there are deficiencies in the information providd in SER, but this do not correspond with the reality. The staff of Faculty will work to eliminate the deficiencies shown as to syllabi, course descriptions, and course sequence as soon as the appropriate mechanisms make it possible.

Regarding the Paragraph 1 of the point 3.1 of the draft report, Faculty of Law shares the same opinion with experts of ET. The same proposals have been received from the professors who teach the course “Sociology” in the 2nd semester, and the “Sociology of the Law” which is taught at the 1st Semester to change them. Therefore, Faculty of Law will propose to the University of Prishtina that the subject of “Sociology” will be part of curricula in the first

semester, while “Sociology of the Law” will be taught in the second semester.

Regarding the Paragraph 2 of the part 3.1 of the draft Report, As discussed also with the ET, the subject is an elective course, which presupposes that students will have prior knowledge of the subject concerned. In addition, the content of the course is not very complicated, as it mainly focuses in identifying the features of parliamentary systems to which Kosovo belongs and critically examines parliamentary institutions, with which students are more or less familiar with e.g. *parliamentary immunity*. However, the staff of Faculty of Law considers as an option to move this course to the 4th semester.

Regarding the Paragraph 8 of the part 3.1 of the draft report that states “*the course "Massive Communication" (fourth semester) does not seem to be justified in the curriculum of a Bachelor in Law.*” Faculty of Law only partially agree with the ET, therefore will propose to the University of Prishtina to change the course to “*Massive Communication and Law*”, including partial changes in the content of this course to accommodate legal topics also. The current syllabus of “*Massive Communication*” includes topics such as freedom of speech, access of media and journalists in governmental information, reporting from courts, protection of sources of information, privacy issues, social effects of media etc., intellectual property rights of authors and other related topics.

COMMENTS RELATED TO CHAPTER 4 OF DRAFT REPORT

General Comment with regard to the point 4.1.1 – Faculty of Law considers that even though there may be some overlapping on the names of the courses offered in the BA, MA or PHD, the content of these courses is different and more specialized in MA and PHD. However, the Faculty of Law will undertake necessary steps to eliminate any possible overlap in the future.

With reference to the Part of report concerning master program in Constitutional Law, as discussed with the ET, the courses are not repetitions of the courses with the same title offered during BA studies. The staff of Faculty has mentioned that are situations where students at the law faculty may have attended a different elective course during the BA studies e.g. mass communication, and may decide to opt for a different course in Master level programme. The third element is that Theory and Practice of Parliamentarism as well as Constitutional Judiciary are elective course but not mandatory courses. This means it is up to the students to decide whether to opt for a more extensive course covering the respective subjects. As regarding the number of students enrolled, Faculty of Law commits itself not to have higher number of students enrolled than foreseen by the program.

The draft Report says “*Scientific Council could end up being required to evaluate up to 350 MA thesis per year*” the comment of the Law Faculty Staff is that it is not the role of the Scientific Council to review the thesis – only to formally approve the proposed thesis project upon proposal of the respective department. The Council will, after approving the proposed thesis and a three-member committee for supervising the thesis, will not have any further role

in evaluating the thesis and the candidate. It is only the role of the Master committee (3 members) to assess the thesis and to decide on the oral defense of the thesis.

Referring to the remarks of paragraph 4.3 of the Draft Evaluation Report by the team of experts of accreditation for the Master Program in Financial Law, members of the Financial Law Department have seriously discussed all the remarks and suggestions from the Draft report and have come to the conclusion that:

- The goal of the Master Program in Financial Law is to offer an attractive and competitive study program for students who choose this program of study:

Aims:	<p>The program's goal is to provide new knowledge on public finances, respectively the financial activity of the state and other legal and public bodies, business finance and monetary financing from financial and juridical perspective. The program aims to provide students with knowledge in the field of legal and finance which is not used so far in bachelor level, including the expansion of their professional perspective by presenting areas that are closely related to financial law, business enterprises, juridical and financial relations in public and private sector.</p> <p>This program further develops the knowledge of the candidates in the field of finance and financial law and sets questions and provides answers to the financial law institutes, and how the same applied in everyday life among the subjects of the law, especially in daily financial relations. The emphasis will fall on the acquisition of new knowledge on tax and legal relationships between the state on one side as an active subject, and taxpayers in the other side as a passive subject on the taxation law. Students will also acquire new knowledge on finance and financial law in relation to functioning of budgetary and juridical relations arising during drafting, approval, implementation and control of the budget. This study program will have a close treatment of detailed comparative analysis of domestic and international law in the field of taxation and budget. This study program also treats the role of financial markets and financial institutions in the economy. It intends to give students an understanding about various types of financial markets and institutions, financial instruments, functioning of international financial markets and institutions, interactions between main market participants, regulative and institutional environment in which they operates.</p> <p>Subject Specific Skills</p> <p>A student who successfully completes the Master Program in Financial Law will be expected to be able to understand the main ideas and methods used in finance and financial law. Students should be able to related principles and practice to financial decisions of the state, enterprises and the banking industry. The students will be equipped with knowledge on revenues, domestic and international tax policy, domestic and international taxation</p>
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	<p>law, public borrowings, spendings, budget and domestic budget law and European Union budget, funds, money, credit, banks, insurance etc..</p> <p>Intellectual Skills Students who complete the Master Program in Financial Law will expect to have developed the following skills: to think creatively; to question and analyse information; to develop arguments in a systematic fashion; to express ideas clearly in written work and to develop problem solving skills by applying theory and theoretical models in practical situations. More specifically, students who complete this Master Program will be able to:</p> <ul style="list-style-type: none"> • recognize the functions of basic financial categories from the aspect of financial law on the basis of financial theory and practice; • describe the functioning of financial and legal relations; • compare the financial institutions; • recognize the ways of public financing on the basis of financial theory and practice; • develop ideas on ways of financing of public expenditure; • interpret and apply legal provisions in the field of financial law. <p>Key Skills Graduates from the program will be expected to be exercising and refining their abilities to assemble information, to appraise it, and to articulate their own conclusions accurately, clearly and consistently in order to undertake further study at postgraduate level or independent workplace based activities.</p>
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- ***ECTS credits of the Master Program in Financial Law – Clarification:***

Master Program in financial law has a total of **60 ECTS credits**. The program is divided into two subgroups of modules: A) Financial Law (which has 20 ECTS); B) Fiscal System and Taxation Law (which has 20 ECTS), and C) Master Thesis (20 ECTS).

Included in the program curriculum are ten (10) courses. Of which six (6) courses are obligatory and four (4) are elective. **As for the elective courses, students have the right to choose only two (2) elective courses out of a total of four (4) elective courses.**

Curriculum Overview Matrix:

Module number and title	Course number and title	No. of teaching hours	No. of ECTS	Semester		Name and function of lecturer
				1 st	2 nd	
A) Financial Law	A.1) Markets and Financial Institutions (<i>Obligatory</i>)	42	5	X		Prof. Dr. Mejdi Bektashi
	A.2) Banking Law and Financial Markets Law (<i>Obligatory</i>)	42	6		X	Prof. Dr. Hivzi Sojeva Prof. Dr. Agim Paca
	A.3) International Financial Reporting Standards and Auditing (<i>Obligatory</i>)	42	5		X	Prof. Dr. Rustem Asllani Bekim Berisha, Ph.D.
	A.4) Economy and the Legal System (<i>Elective</i>)	28	4	X		Prof. Dr. Hivzi Sojeva Prof. Dr. Mejdi Bektashi
	A.5) International Trade and Investments Law (<i>Elective</i>)	28	4	X		Prof. Dr. Mejdi Bektashi Prof. Dr. Hivzi Sojeva Guest lecturer: Prof. Dr. Roland Wittmann
B) Fiscal System and Taxation Law	B.1) Budgetary and Taxation Law (<i>Obligatory</i>)	42	6	X		Prof. Dr. Bedri Peçi
	B.2) Commercial Tax Law (<i>Obligatory</i>)	42	5		x	Prof. Dr. Bedri Peçi Prof. Dr. Sabri Kadriu Guest lecturer: Prof. Dr. Christoph Urtz
	B.3) Fiscal Policy and the Rule of Law (<i>Obligatory</i>)	42	5	X		Prof. Dr. Sabri Kadriu
	B.4) International Aspects of Taxation (<i>Elective</i>)	28	4		x	Prof. Dr. Bedri Peçi Guest lecturer: Prof. Dr. Christoph Urtz
	B.5) Fiscal System in the function of Social Policy (<i>Elective</i>)	28	4		x	Prof. Dr. Agim Paca
C) Final Thesis/Project	C.1) Final Thesis		20		x	

- ***Master Program courses in financial law - Clarification:***

Regarding the issue for a potential overlapping between subjects included in Master Program and Bachelor level, the courses of Master Program in financial law are NOT repeated subjects from the bachelor level. This can be verified from the comparative analysis of the course syllabuses provided, by analysing the purpose, content and the literature used in each course. In the Bachelor's level program, the substantial structure of the courses is designed in such a way to provide students with basic knowledge about the meaning of institutions, the legal and financial relationships, while in Master studies the substantial structure of the courses differs from courses in Bachelor level and is designed to provide students with new knowledge, not basic knowledge, but in the functioning of institutions and legal and financial relations, in domestic and international law.

- As for the remarks on possible overlapping between courses "*International Financial Institutions*" and "*Financial Markets and Institutions*", these two courses do not have the same content and are completely different to one another, and this can be verified in course syllabuses provided.
- As for the remarks on "beyond the undeniable repetition" of the subject "*Tax and Budget Law*" that is taught in both levels of studies and the same curriculum is totally inconsistent remarks because the course syllabus is different in two levels and while the focus of the curriculum for students in the bachelor level is to expand knowledge on taxation, tax and legal relationship; budget and budgetary jurisdiction relationships in terms of tax theory and practice. Specifically, students will be introduced with the objective part of the law which regulates the activity of tax and budget of the state and other legal and public institutions. While the focus of the master level studies under the curriculum is the explanation of the budgetary procedure, the role of Parliament in the budgetary procedure, the difference of direct and indirect taxes, the budget procedure in the EU, and other important issues to this field.
- Subjects offered in this program are arranged in two semesters and taught by experienced professors scientific valuable academic and practical.

- Students who successfully complete this study program will be able to work as a lawyer for financial issues, judge for economic issues, prosecutor for economic cases, legal expert, etc..
 - The number of students who can enrol in this study program varies from year to year, depending on the decisions of the Rectorate in cooperation with the Dean of the Law Faculty (in the last year are registered 70 students), while the eligibility criteria are determined by the Rectorate of the University.
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- **Comments related to Part 4.7 paragraph 2:**

Comment I - During the meeting with the ET the representatives of the Department of International Law provided enough clarifications related to the Course titles, teaching methodology, however the info from the meeting are not reflected adequately in the actual ET report. However, the staff will undertake all the necessary measures to advance further the teaching methodology in order to bring in to surface the differences between BA, MA and PhD programs. It should, however, be noted that although certain course's titles are similar and the content could to some extent be perceived as such, the implementation differs, in that certain topics are addressed in a more in-depth and extended variant. The degree of debate in the Master's level, as well as the study of more complex cases and questions, differs from that at the Bachelor's level. Therefore, notwithstanding the similarities or potential similarities in form, the content and methodology applied for the study at the Master's level is significantly different.

Comment II – regarding the revision of programs Faculty of Law undertake efforts to revise programs accordingly to reflect the structural logic between BA the MA and PHD programs.

Part 4.7 paragraph 3, 4, 5, 6

Comment I - The courses will be modified and amended in order to reflect current developments in international law but with the main focus on the developments in Kosovo. In particular, the literature will be updated. In addition, within the upcoming period of accreditation the possibility of instituting the online courses will be explored.

Comment II - Proposing the new courses are subject to the University procedures. The IL Department will propose the elective courses. In the meantime, we will integrate these topics in current courses (i.e. International Organization will integrate the topic on peace treaties, negotiation techniques, means of dispute settlement etc.).

Comment III – Regarding paragraph 5 of part 4.4 we agreed with this recommendation and will integrate this part in the methodology of all courses syllabuses.

Comment IV– With regard to paragraph 6 of part 4.7, this depends by management of the University, this means that this recommendation is close related to policy level (UP and Ministry of Education)

Comment V– with regard to the recommendations on page 33, Will review every syllabuses and integrate in the teaching methodology the form of workshops, seminars and individual mentorship, which in practice they exist but are not reflected accordingly in the syllabuses and SER. As regarding the 3rd recommendation in page 33 that is related to the policy level Ministry of Education and University of Prishtina. As regards to the 4th recommendation in the page 33 we will see all possibilities to integrate these topics in the existing courses (also will propose to design new elective courses).

COMENTS RELATED TO CHAPTER 5 OF DRAFT REPORT

General Comment - During the meeting with the ET the representatives of all departments of Law Faculty have explained that the generality of the courses reflects only the substance of the main subjects, while all the specificities of the program are foreseen in the Regulation on PHD Studies of the UP (2013). The Regulation defines the aims and purposes of the doctoral program. The curriculum or content of the key required courses (ie. Civil Law, Civil Procedure Law, Constitutional Law, Public International Law, Private International Law, etc.) has been offered as part of the original report. The Regulation specifies the proportion between lectures/seminars and the doctoral thesis, and allocates specific number of credits, which are measured by way of calculating the volume of student's work (the same applies to the role of supervisor and second supervisor). These courses are designed to serve a more advanced knowledge. Although the courses could be the same as those offered in the previous degrees, the content varies radically. The courses do not follow the classic system of lecturing. In the contrary, students are offered a number of select, specialized topics, which are both contemporary and intellectually challenging. Students are required to research on these topics and discuss them in the classroom. They are often asked to submit short papers or also make presentations, which are then debated with the Professor and other fellow students. Specific case studies, seminars and other interactive forms are used during the courses.

Specific comments:

Regarding part 5.2 the Faculty of Law staff considers that the SER needs to be updated – to incorporate the re-designed syllabus into the SER. The proposed course in constitutional law, as indicated, is indeed a specialised course on constitutional law. The course has been designed to meet the requirements of doctorate program in constitutional law.

Referring to the remarks of paragraph 5.5 in relation to the doctoral studies, Financial Law Department concludes that:

- The number of professors in the Financial Law Department is sufficient and capable to supervise all the enrolled PhD candidates. The regulation on PhD studies provides that a member of the Supervisory Committee should be from other Universities, so it became possible to increase the number of professors in the Financial Law Department.
- The right to supervise a PhD candidate have professors that have the title of Full Professor, Associate Professor and Assistant Professor (based on the Regulation Article 9b). As per Regulation, a professor has the right to supervise up to 3 PhD candidates. On current PhD studies in financial law field are 9 PhD candidates enrolled. This clarifies the issue that the number of academic staff is sufficient, and each professor of Financial Law Department has the right to supervise up to 3 candidates based on PhD Regulation requirements. Also, Article 9.3 of the Regulation provides the possibility of co-mentoring with external mentor from other Universities.
- Student enrolment criteria in doctoral studies are determined by the Rectorate of the University and not by the Financial Law Department. Based on the Regulation for doctoral studies, the conditions and duration of the doctoral studies is specifically provided in section 7 of the Regulation for doctoral studies.
- Referring to the Regulation for PhD studies (dated 03.10.2013) of the University of Prishtina, Article 8 of the Regulation provides the stages of study in the doctoral program, which will be implemented in six (6) semesters. Also it provides the number of ECTS credits that a student earns at each phase of the doctoral studies.

Comments related to Part 5.6, paragraph 1,

Comment - Despite the fact that during the meeting with the ET the representatives of International Law Department explained that the generality of the courses reflects only the substance of the main subjects, while all the specificities of the program are foreseen in the Regulation on PHD Studies of the UP (2013). The Regulation defines the aims and purposes of the doctoral program. The curriculum or content of the key required courses (ie. Public International Law, Private International Law, and European Union Law) has been offered as part of the original report. The Regulation specifies the proportion between lectures/seminars and the doctoral thesis, and allocates specific number of credits, which are measured by way of calculating the volume of student's work (the same applies to the role of supervisor and second supervisor). These courses are designed to serve a more advanced knowledge. Although the courses could be the same as those offered in the previous degrees, the content varies radically. The courses do not follow the classic system of lecturing. In the contrary, students are offered a number of select, specialized topics, which are both contemporary and intellectually challenging. Students are required to research on these topics and discuss them in the classroom. They are often asked to submit short papers or also make presentations, which are then debated with the Professor and other fellow students.

Comments related Part 5.6, paragraph 2:

Comment - All these issues are very specifically determined by the above mentioned Regulation on PHD studies. The formal requirements are such that a student has to pass successfully the three required examinations and also receive passing grades for the three required seminars on three different topics. There is an additional requirement that a doctoral student must publish a paper related to the field of his/her research in an internationally peer-reviewed journal or law review. It is only after these requirements are fulfilled that the student could be qualified to proceed with the next stage of having his/her thesis evaluated and then defended. The evaluation committee is proposed and approved by the Central Doctoral Commission upon proposal by the Faculty's doctoral council. The final formal approval is made in the University Senate. There is a specific requirement that one of the members in the defense committee should be from outside the University of Prishtina. The degree conferred is that of the Doctor of Science (Dr. sc.) in the respective field (e.g. Criminal Law, Civil Law, International Law, Constitutional Law, etc.).

Comments related to Part 5.6, paragraph 4:

Comment - As was mentioned during the meeting with ET the PhD candidates have been given a very specific topic on each course with the very specific literature in order to research independently and participate actively in the course. In practice this means that the students during the work will not overlap with any previous courses in BA and MA program.

Comments related to Part 5.6, paragraph 5:

Comment - The Regulation on PhD Studies specifically and clearly defines the role of the supervising professor(s) and their expertise, so that there is a correlation between that expertise and the candidate's doctoral thesis. This requirement is vigorously observed by not only the Faculty's bodies, but also the University's Central Doctoral Committee and the University Senate.

7 PROPOSALS FOR THE DECISION OF ACCREDITATION

On the basis of the above-mentioned findings and the subsequent comments of the UP FL, the Expert Team proposes the Kosovo Accreditation Agency:

1. To grant the accreditation of the Bachelor studies programme in Law for three years and expects that until the end of the first year of this term

– a serious and comprehensive study about the actual demands of lawyers by public institutions and private firms that comprise the labour market in Kosovo is being carried out.

And expects thereafter that

– all possible measures to guarantee that the results of this study are being taken into account, so that reasonable and feasible numbers of students will be taught by a sufficient number of mainly full-time professors dedicated to lecturing and research in equal proportions.

And expects that until the end of the first year of this term

–significant steps are being taken in order to eliminate the deficiencies shown by the ET as to syllabi, course descriptions, and course sequence.

–significant steps are being taken in order to guarantee that the portion of research in the daily work of the UP FL staff is increased, putting in motion a rigorous control of second jobs and providing incentives for those professors with a better research record; and research currently predominantly done in the Albanian speaking area and in Albanian is opened to interact with European and world-wide legal science.

–significant steps are being taken in order to guarantee that E-Learning lectures are developed for extending capacity.

And expects that for the next application for re-accreditation after the three-years term

–significant steps are being taken in order to make sure that the issue of adequacy of proportion between permanent and external staff is addressed in the next Staff Development Plan and SER.

– significant steps are being taken in order to guarantee that the next and future SERs are split into a general part showing and describing the programme logics, and into a special part adjusting the course syllabi accordingly, and that its final presentation be submitted to a thorough, global revision, in order to guarantee a complete, reliable, well structured, and user-friendly Report.

2. To grant the accreditation of the Master Programme in Constitutional and Administrative Law for three years,

And expects that until the end of the first year of this term

– A thorough revision of the programme and a reformulation of the subjects in which an overlapping has been detected with the BA programme is carried out.

– Transparency is effectively implemented in the admission process.

– The process for the final defense of the MA thesis is streamlined.

3. To grant the accreditation of the Master Programme in Financial Law for three years.

4. To grant the accreditation of the Master Programme in Criminal Law for three years.

5. To grant the accreditation of the Master Programme in Civil and Property Law for three years,

And expects that until the end of the first year of this term

– A thorough revision of the programme and a reformulation of the subjects in which an overlapping has been detected with the BA programme is carried out, as well as the introduction of a course for academic writing and research methods.

– Transparency is effectively implemented in the admission process.

6. To grant the accreditation of the Master Programme in Contract and Commercial Law for three years

And expects that until the end of the first year of this term

– A thorough revision of the programme and a reformulation of the subjects in which an overlapping has been detected with the BA programme is carried out, as well as the introduction of a course for academic writing and research methods.

– Transparency is effectively implemented in the admission process.

7. To grant the accreditation of the Master Programme in International Law for three years.

8. To grant the accreditation of the PhD Programme in Constitutional and Administrative Law for three years

9. To grant the accreditation of the PhD Programme in Criminal Law for three years

10. To grant the accreditation of the PhD Programme in Civil Law for three years

11. To grant the accreditation of the PhD Programme in Financial Law for three years

12. To grant the accreditation of the PhD Programme in Public International Law for three years

And expects for all Master and PHD Programmes that until the end of the first year of this term all recommendations upheld at the respective chapters above will be implemented.

End of first year means no later than September 1, 2016, so that the implementation will enter into force for the academic year 2016/2017.

In Salzburg, Austria, on August 26, 2015

On behalf of the Experts Team:

Prof. Dr. Michael Geistlinger