

Minutes of the XXXVIII ELPIS-Conference
Hannover
June 18th – 20th 2009

Participants:

Rudenko, Slavomir (**Bratislava**); Oancea, Dan (**Bucharest**); Hjort, Majken (**Copenhagen**); Ebbesen, Lene (Copenhagen); Kramer, Ingrid (**Fribourg**); Bartelds, Chris (**Groningen**); van Dort, Astrid (Groningen); Argyriadis-Kervegan, Caroula, (**Le Havre**); Papst, Steffen (**Leipzig**); Pereira da Silva, Vasco (**Lisbon** UCP and State University); Coutinho, Luis (Lisbon State University); Oppermann, Bernd (**Hannover**); Fenge, Hilmar (Hannover); Hähnel, Ingrid (Hannover); Tech, Andrea (Hannover); Aydintan, David (Hannover); Bakirova, Alfia (Hannover); Cortés, Bibiana (Hannover); Kidyba, Andrzej (**Lublin**); Zakrzewski, Wojciech (Lublin); Sadowski, Pawel (Lublin); Lomsdalen, Jens Peder (**Oslo**); Reien, Elisabeth (Oslo); Vestmann, Stella (**Rejkjavik**); Toullier, Marine (**Rouen**); De Pierrefeu, Evelyne (Rouen).

All other ELPIS members not being present had been excused for different reasons.

1. Opening

The XXXVIII. ELPIS Conference in Hannover was opened by the chairman and coordinator of the ELPIS and Erasmus Mundus Programme Prof. Dr. Bernd Oppermann, LL.M., who introduced the guests of the ELPIS Conference, the President of *Leibniz Universität Hannover*, Prof. Dr. Erich Barke, Lord Mayor of Hannover, Mr. Stephan Weil, and the representative of the Ministry of Science and Culture of the Lower Saxony, Dr. Stephan Venske. The honourable officials gave a brief summary of history, figures and policy of *Leibniz Universität Hannover*, of the ELPIS-programme, and last but not least of the city of Hanover and its importance of internationalisation for the future. The Lord Major of Hanover thereby opened the debate about Bologna by taking position in respect of the applicability of the Bachelor/Master scheme for the training of lawyers.

Furthermore, the chairman introduced the new delegates of ELPIS I and ELPIS II: Prof. Shasikala Gurpur from Symbiosis Law College, Poona, India; Prof. Xingsheng Zhou from the Northwest-University for Politics and Law, Xi'an, China; Prof. Dan Oancea from University of Bucharest, Romania; Prof. Luis Pereira Coutinho from State University Lisbon, Portugal; Ms. Evelyne de Pierrefeu from *Université de Rouen*, France; and Ms. Stella Vestman from University of Rejkjavik, Iceland.

Last but not least, Prof. Oppermann gave a warm welcome to the ELPIS delegates, which were introduced to each other. He expressed his gratitude for their attendance and he thanked the officials for their honourable introduction.

TOP 1 Approval of the minutes (XXXVII ELPIS Conference at Bratislava, May 9th-10th 2009)

Prof. Zakrzewski, University of Lublin asked for correction on page 5, TOP 5 Bologna Declaration successors. It is written that Lublin has been running a Master-programme for 4 years. Instead, the programme was running for five years already. This text passage has been corrected and the minutes of the last meeting has been approved.

TOP 2 Reports and news (chairman)

Prof. Oppermann reported that the Erasmus Mundus Consortium (ELPIS II) has filed a new application for Erasmus Mundus II (EM II) with the title “European Legal Practice in a Global World, LL.M. Eur” by April 2009. The Erasmus Mundus Consortium consists of the following “old” partners: the law faculties of Leibniz University Hannover, Université du Havre, Université de Rouen.

Since the UCP at Lisbon contracted out of an Erasmus Mundus II prolongation, Prof. Pereira da Silva, the representative of UCP Lisbon (vasco@fd.ucp.pt), attended the ELPIS I and Erasmus Mundus meeting also in his new function as the delegate and contact person of the State University at Lisbon, Faculty of Law (vasco@fd.ul.pt). The chairman expressed his pleasure to welcome as well Prof. Luis Pereira Coutinho who will be together with Prof. da Silva the contact person for Erasmus Mundus II.

Furthermore, the Consortium is happy to welcome as a new partner the Mykolas Romeris University, Vilnius in their project, which has been ELPIS I network partner for five years. The third country partners Jiao Tong University, Shanghai, and Symbiosis University, Poona, will continue their contribution on the present Action 3 (EM I) by transferring it into full partnership for EM II.

TOP 3

a) Statistics

The Hanover staff would still appreciate to receive partner student and scholar exchange statistics in order to establish a survey of exchange figures in our network. It has been proposed, however, that the members may feel free to send such figures to Hanover.

b) Learning Agreement

It was agreed upon to facilitate the process of issuing learning agreements and to reduce bureaucracy. There is no sense to fill in a fictitious learning agreement to send it several times before and at the beginning of the term to the corresponding coordinator of the visiting university, who has to prove, sign, stamp, copy and send it more than two times for nothing. Thus it was proposed to give leeway to the students of about 4 weeks after the start of the semester in order to attend their courses and to find out whether they can meet the demands of the chosen lectures or not. After that period of time they choose their definite courses and send their duly signed learning agreements to their home university.

Afterwards it was discussed to what extent centralisation of international affairs is hindering our ELPIS networking. A discussion started, several points of view were evaluated and it was agreed upon that our networking has been excellent working for more than two decades. It goes without saying that our International Offices have become important for the excellent run up of exchange, but we should keep always an eye on keeping our individuality and “pulling our strings”, because we are experienced and our projects are crowned with success for more than 25 years.

TOP 4 Application on membership

Lisbon State University

The representatives of UCP State University Lisbon Prof. Pereira da Silva and Prof. Coutinho introduced their Faculty of law. After taking the vote, the Elpis delegates decided to accept unanimously the UCP State University to be the new member of ELPIS. The chairman and all the other ELPIS members congratulated Prof. Pereira da Silva and Prof. Coutinho in their function of delegates of newly appointed ELPIS members.

Maribor University, Slovenia

Dean Prof. Dr. Rajko Knez and Vice Dean Prof. Vesna Rijavec informed us that his faculty will be interested in cooperation. Unfortunately, the appointed representative of Maribor University was not able to attend the ELPIS meeting, thus the delegates had to put off the decision concerning Maribor University's new membership in our network. It was agreed upon to invite Maribor University for the following ELPIS conference.

University of Bucharest (Romania)

Prof. Dan Oancea, head of public law department and the delegate of Bucharest University Law Faculty, gave a description about his institution. He reported about the Romanian experience concerning higher education, master's degrees and advanced study programmes. After taking positive votes of all delegates, the University of Bucharest was accepted for ELPIS membership, followed by the audience's compliments.

Istanbul Universitesi

The Hanover staff reported about its excellent experience concerning student mobility exchange with the Hukuk Fakultesi Beyazit in Istanbul based on the establishment of a bilateral agreement. Other delegates pointed out that it would be a substantial progress for the network to accept a reputable Turkish university in our ELPIS project as a few of our group already had contact to this institution. Prof. Toullier reported about positive experience with Hukuk Fakultesi pointed out that it would be very interesting for the students and law teachers to integrate a university with oriental and occidental influences in our network.

Thus it was agreed upon to invite a delegate of Hukuk Fakultesi Beyazit for the next ELPIS meeting.

TOP 5 Cooperative structures on behalf of selected old members

Southampton

The University of Southampton which has been member of ELPIS since 1990 cancelled its ELPIS membership without giving reason. Much to the regret of the ELPIS delegates, the network has to accept Southampton's decision.

Universidade Católica Portuguesa

While it the management of UCP decided of not continuing the partnership for Erasmus Mundus generation 6 and for the new application Erasmus Mundus II, this decision is not in relationship with the membership and activities in the ELPIS I network. UCP has ensured us that the exchange of students and law teachers will remain business as usual (also see above, Top 2).

Sassari University (Sardinia), Erasmus Office: Ms. Elena SANNA,

Prof. Marine Toullier reported about excellent cooperation with the Italian Sassari University (Sardinia) based on personal contacts, her teaching activities at the above mentioned faculty, and bilateral agreements for many years. Prof. Toullier summarized that this University is of medium size of over 18 000 students and about 700 teachers. She emphasized that the Law Faculty is very much interested in extending their contacts and asked other ELPIS delegate for their opinions concerning integrating the University of Sassari as a new Italian ELPIS member.

Since there has been a reminder on the ELPIS principle of having one partner faculty at one EU member state, a lively discussion started. As it happened, the actual relationship of the ELPIS members towards the – so far – only Italian partner, University “La Sapienza” (Rome), was debated in the same course. While some dissatisfaction was expressed, the discussion tended out to result in sticking to the old ELPIS rules, which again means to have only one University membership in one country. Despite the fact that this principle became quite a few exemptions, our network otherwise would become unmanageable for the future. In result, it was decided to contact again “La Sapienza” asking them whether they are still interested in participating in the ELPIS network, and to offer us a responsible contact person. Meanwhile, all ELPIS members have the opportunity to contact elenasanna@hotmail.com at Sassari University for bilateral relationship.

General Principles of ELPIS Membership

It has been common view between the delegates that we expect members of ELPIS to attend at ELPIS meetings. Prof. Hjort expressed the commonly accepted view that we should keep the members together, means: no attendance, no membership. Indeed, the audience was concerned about absent partners. During our next meeting, we will discuss the principles of membership anew. Such is of specific importance because inactive members could be substituted by new active teams. In this respect and due to positive bilateral experiences, Prof. Gurpur suggested the contacting of Cork University, Ireland.

TOP 6 Bologna Declaration – recent development

The Bologna Process aims to create a European space for higher education by 2010, where students can choose from a wide and transparent range of high quality courses and benefit from smooth recognition procedures. The Bologna Declaration of June 1999 has put in motion a series of reforms needed to make European higher education more compatible and comparable, more competitive and more attractive for Europeans and for students and scholars from other continents. Reform was needed then and reform is still needed today if Europe is to match the performance of the best performing systems in the world, notably the United States and Asia. The chairman reported that the EACEA constantly gives assistance concerning evaluations, gives their opinions and supports evaluations audits.

Another (please, see previous minutes) ELPIS discussion on Bologna followed. The critical German view on a discrepancy between Bologna a German legal education as expressed by the Lord Major opening the conference as well as the reference to recent statistic brought by Prof. Oppermann and concerning a decrease of undergraduate European exchange students, could not remain without answer of the ELPIS delegates. Prof. Bartelds and others pointed out the clear advantages of an implemented Bachelor/Masters scheme which enhances our LL.M. programmes. Furthermore, the scheme empowers the European position in the competitive process of the world market for higher education. Debatable, however, remain the merits of accreditation, including the tools of institutional accreditation. Moreover, different schemes for Bachelor and Master have been debated in their advantages and disadvantages in scientific and educational respect.

TOP 7 New products at ELPIS member faculties

There have been interesting references to new Master programmes at ELPIS members faculties as in Copenhagen and Groningen.

Prof. Oppermann reported about another smaller network brought out by his colleague Prof. Ulrike Wendeling-Schröder, Labour Law, in cooperation with Dutch and French partners with the theme “Fundamental Social Right in Europe”. This project would fit very well in the ELPIS concept and the chairman proposed to combine the following ELPIS conference with the next symposium “Labour Law” of the French, Dutch partner and Prof. Wendeling Schröder to exchange experiences and to reduce costs of the conference.

TOP 8 ELPIS homepage

Prof. da Silva pointed out the necessity to exchange some details of the ELPIS webpage managed at Hanover insofar to achieve clarity on the status of the two universities at Lisbon. It should be indicated that UCP will be no more the contract institution for Erasmus Mundus after the present generation of students. After the approval of Erasmus Mundus II – in this case looking on the bright side – the webpage ought to be changed, in this case the references concerning UCP ought to be replaced by State University Lisbon. The expenses for this exchange of a flash webpage will be settled later.

TOP 9 Summer Academies

Lisbon for 2009 Prof. Pereira da Silva reported about the prospective summer schools 2009 at UCP with the title “*Legal Issues on Globalization*” which will take place from July 13th until July 24th 2009. This occasion will be open for graduate and undergraduate students from all over the world and the participation rules are as always. The organisers, however, are glad to announce that this summer grants of 750.- Euro each will be available for the best fifteen applicants. Law teachers as Prof. Argyriadis (France), Prof. Fischer (Slovakia), Prof. Hassel (USA), Prof. Oppermann (Germany), Prof. Papst (Germany), Prof. Toullier (France) and Prof. Rice (USA) will contribute their lectures.

The Summer University 2010

The summer courses at Lisbon are pending in its present version at UCP. Furthermore, Prof. David Rice from Roger Williams University (Rhode Island, USA), who has been organizing this Summer School together with UCP will leave on pension. So far it remains to be seen whether the University of Lisbon will continue with comparable Summer Academies in future. – Alternatives have been debated, however, not decided yet. Prof. Vasco will have the advantage of a first suggestion.

TOP 10 Other projects

The chairman reported about offers of two publishing houses named *Nomos* and *Universitätsverlag Halle-Wittenberg*, which are handed out to the delegates. The delegates gave priority to the offer mentioned at last, because the costs are 1.800 € for 250 items and 30 free-items in comparison to the Nomos publisher who is more expensive but as well more famous. A list of authors (Prof. Vasco Pereira da Silva, Prof. Nicolas Guillet, Prof. Donggen Xu, Prof. Lorena Bachmeier-Winter, Prof. Argyriadis-Kervegan, Prof. Charlotte Girard, Prof. Andreas Schwartze, Prof. Oppermann, Prof. Fenge) and their articles had been distributed by means of the booklet of this conference.

TOP 11 Prospective ELPIS conferences

Prof. Rudenko will ask the corresponding contact persons in Prague for organizing the following conference. Apart from that Prof. Toullier who has a vivid contact to Vilnius agreed to ask the responsible persons at the Mykolas Romeris University. Deriving from our *Places of Conferences*-list it would be up to Oslo and then to Iceland to arrange the next but one conference in 2011.

TOP 12 Miscellaneous

July 14th 2009

INGRID HÄHNEL

BERND OPPERMANN