



CENTER FOR QUALITY ASSESSMENT IN HIGHER EDUCATION

**EVALUATION REPORT OF  
SECOND CYCLE STUDY PROGRAMME  
*LAW AND HUMAN RIGHTS ACTIVITIES*  
at Augustine Voloshyn Carpathian University,  
Ukraine**

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## INFORMATION ON EVALUATED STUDY PROGRAMME

|   |  |
|---|--|
| Title of the study programme                        | <i>Law and Human Rights Activities</i> |
| Study field   | Law                                    |
| Type of the study programme                         | University                             |
| Study cycle   | Second                                 |
| Study mode (length in years)                        | Full-time (1 year 10 months)           |
| Volume of the study programme in credits            | 90                                     |
| Degree and (or) professional qualifications awarded | Law                                    |
| Date of registration of the study programme         | June 27, 2019                          |

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## I. INTRODUCTION

### 1.1. Background of the evaluation process

The evaluation of on-going study programmes is based on the **Methodology for Evaluation of Ongoing Study Programmes of Foreign Higher Education Institutions**, approved by Order No V-7 of 20 February 2015 of the Director of the Centre for Quality Assessment in Higher Education (hereafter – SKVC).

The evaluation is intended to help higher education institutions to constantly improve their study programmes and to inform the public about the quality of studies.

The evaluation process consists of the main following stages: 1) *self-evaluation and self-evaluation report prepared by Higher Education Institution (hereafter – HEI)*; 2) *visit of the review team at the higher education institution<sup>1</sup>*; 3) *production of the evaluation report by the review team and its publication*; 4) *follow-up activities*.

On the basis of an external evaluation report of the study programme a decision to accredit study programme may be taken. The evaluation of the programme can be either **positive** or **negative**.

### 1.2. General

The Application documentation submitted by the HEI follows the outline recommended by the SKVC. Along with the self-evaluation report and annexes, the following additional documents have been provided by the HEI before, during and/or after the site-visit:

| No. | Name of the document                                       |
|-----|--|
| 1   | SER Master   |
| 2   | 2020 Ukraine Law on Higher Education (general)             |
| 3   | Descriptor / Standard of Higher Education of Ukraine       |
| 4   | Cabinet of Minister Decree No. 266 of 2015                 |
| 5   | Education Program Law and Human Rights Activities (Master) |
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<sup>1</sup> The site visit was organized via online technologies due to force-majeure circumstances (an epidemic situation)

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### ***1.3. Background of the HEI/Faculty/Study field/ Additional information***

The Augustine Voloshyn Carpathian University (hereafter referred to as “the University”, or “the HEI”) is a relatively small private institution of higher education founded in 2001 in Uzhhorod on the Western border of Ukraine with Slovakia. The HEI offers degree programs in law, finance, banking and insurance, psychology, theology, and philosophy. The main competitor of the HEI is Uzhhorod National University (hereafter referred to as UNU), a much larger public university located in the same city and oblast. For comparison, the HEI has less than 1,000 students in total, compared to about 15,000 at UNU. The tuition at the HEI is about €1,000 compared to some €3,000 at UNU. In the law programs, the HEI admits 50+40 for the Bachelor and 20 students into the Master Program, while Uzhhorod National University admits about 200 in the Master Program alone.

Overall, there are some 193 academic institutions in Ukraine offering Bachelor programs in law and about 120 offering Master programs in law. Given that the overall population of Ukraine is around 45 million, it is safe to say that the market is over-saturated and that a significant number of the academic programs in law will have to merge or close in coming years. This is confirmed by the fact that Ukraine currently has about 53,000 attorneys and 8,000 judges, while the combined student enrolment in all law programs in Ukraine was over 100,000 in 2019. On the basis of these numbers, it is safe to say that the large majority of current law students in Ukraine will not practice law as attorneys and will not get jobs that actually require a law license but will be working in the public administration, law enforcement, private enterprise, and other professions where legal education may be a benefit but not necessarily a requirement.

At the HEI, law at the master level was offered from 2013 under a license to admit 20 students to full-time education. In 2019, the program was recast as a Master program in “Law and Human Rights Activity” (hereafter referred to as “study program”, or “master program”). The current assessment is the first time the recast program is being evaluated externally.

### ***1.4. The Expert Panel***

The Review team was completed according to *Description of experts’ recruitment and organization of experts’ work*, approved by order No. V-149, 31 Dec. 2019, of Director of the Centre for Quality Assessment in Higher Education. The site visit to the HEI using online technologies was conducted by the expert panel on 13 April 2021.

The Expert Team consisted of the following members:

- **Prof. Dr. iur. Frank Emmert LL.M., FCI Arb**, Professor of International, Comparative and European Union Law, Consultant & Arbitrator, Indiana University School of Law, USA;
- **Prof. Dr. Maria del Mar Campins Eritja**, Full Professor at Universitat de Barcelona, Faculty of Law, Spain;
- **Doc. Dr. Tomas Bagdanskis**, lecturer (Business and Labour Law) at ISM University of Management and Economics, associate professor (Labour Law) at Vilnius University, Founder and Managing Partner at ILAW Professional Law Partnership, Lithuania;
- **Ms. Agnė Oseckytė**, doctoral student at Lunds Universitet, Faculty of Law, Sweden.

## II. PROGRAMME ANALYSIS

### 2.1. Programme aims and learning outcomes

*The programme objective(s) and intended fields of learning outcomes shall be assessed in accordance with the following criteria:*

- *programme aims and learning outcomes are well defined, clear and publicly accessible;*
- *programme aims and learning outcomes are based on the academic and/or professional requirements, public needs and the needs of the labour market;*
- *programme aims and learning outcomes are consistent with the type and level of studies and the level of qualifications offered;*
- *the name of the programme, its learning outcomes, content and the qualifications offered are compatible with each other.*

The Expert Team found that the study program complies with the legal requirements for Master in law studies in Ukraine, although some of the requirements of the Ukrainian Law on Higher Education are ambiguous.

Pursuant to the Standard of Higher Education of the Second (Master's) Level for the Field of Knowledge 08 Law, the learning outcomes of a Master program have to encompass the following:

- Assess the nature and nature of social processes and phenomena, and show understanding of the boundaries and mechanisms of their legal regulation.
- To correlate the modern system of civilizational values with legal values, principles and professional ethical standards.
- Carry out the collection and integrated analysis of materials from various sources, including digital, statistical, test and others, and verify their reliability using modern research methods.
- Present your research on a legal topic, using primary sources and techniques of legal interpretation of complex problems arising from this study.
- Know Ukrainian and foreign languages (one of the official languages of the Council of Europe).
- It is reasonable to formulate one's legal position, to be able to oppose and present convincing arguments.
- Discuss complex legal issues and contribute to the final conclusions of such a discussion.
- Effectively process and use information obtained from reliable sources for research and practical activities.
- Generate new ideas and use modern technologies in providing legal services
- Know the basic modern legal doctrines, values and principles of law in the context of the interaction of international law and international legal systems with the legal system of Ukraine.
- Understand the methodology of interpretation and features of the application of institutions of public and private law and criminal justice.
- Carry out a comparative legal analysis of individual legal institutions of different legal systems, taking into account the relationship of the legal system of Ukraine with the legal system of the European Union.
- To generalize the practice of applying certain legal institutions.
- To substantiate the legal position at different stages of law enforcement.
- Demonstrate the ability to perform certain procedural functions of law enforcement entities.
- To prepare drafts of normative legal acts, to substantiate the social conditionality of their adoption, to predict the results of their impact on the relevant social relations.
- Independently prepare draft acts of law enforcement in various areas of professional activity.

While several of these criteria are vague and not easy to measure, for example whether the students are able to “discuss complex legal issues and contribute to the final conclusions of such a discussion”, others are more specific. For example, the Expert Team concluded that a significant number of students in the program does not “Know ... foreign languages (one of the official languages of the Council of Europe)” at a sufficient level. The official languages of the Council of Europe are English and French. During the site meeting, the Expert Team encouraged students to share their comments and questions in English but no one dared to speak up and the students had to ask for the help of a translator instead. The Team was not able to assess any knowledge of French. Furthermore, the Expert Team concluded that the students, on the basis of knowledge and skills imparted in the program, are not able to “Carry out a comparative legal analysis of individual legal institutions of different legal systems, taking into account the relationship of the legal system of Ukraine with the legal system of the European Union.” Although the HEI is literally located in walking-distance from an EU external border, “EU Law” is not even mentioned in the curriculum of the Master program. Comparative law and/or any introductions to any foreign legal systems are likewise not part of the curriculum.

The stated purpose of the educational program is “the formation of higher legal education of applicants with a high level of applied practical skills and abilities, their ability to solve complex problems and problems of law enforcement and / or in the learning process, which involves research and / or innovation and is characterized by uncertainty of conditions and requirements.” While this sounds appropriate for a Master level program, the Expert Team found little evidence that these lofty goals are actually achieved in practice. When the Expert Team asked students in the Master program about exams and assessments, at least one example provided involved the students drawing questions from a kind of lottery. At least one question in this lottery was supposed to be the question “What is a crime?” Beyond anecdotal evidence suggesting that at least some of the assessments may be of a very general and superficial nature, the Expert Team was not able to review actual exams and actual student answers and the way they were graded. It will be for a future accreditation team to assess whether the students have acquired “a high level of practical skills and abilities” and the “ability to solve complex problems”.

Along the same lines, the Master, which supposedly focuses on “Law and Human Rights Activities”, is surprisingly short on human rights-related courses. The curriculum shows 1 compulsory course for 2 hours/week or 3 ECTS on “Information and Legal Support of Human Rights Activities” in the 1st semester and 1 compulsory course for 4 hours/week or 5 ECTS on “Activities and Decisions of the European Court of Human Rights” in the 3rd semester. These are the only named subjects with a focus on human rights in the Master, although the students may be able to do some human rights-related work in the framework of generic elective subjects such as “Advocacy”, “Course Work” and “Disciplines of other Specialties of Free Choice of the Student”. Overall, the Expert Team got the impression that the label “Human Rights” is not deserved. In particular, the Master program does not seem to cover any comparative analysis of human rights protection in other parts of the world or any serious engagement with human rights at the UN and international level.

In sum, the Expert Team found that the Master looks too much like an extension of the Bachelor program in Law and Human Rights Activities, which already is much more like a general undergraduate law degree. The patterns of the Bachelor seem to be continued with similar courses on the curriculum, many of the same faculty, and many of the same aims and goals (for example, the Bachelor has a “practical orientation, in particular, on the development of practical skills and abilities to solve complex specialized problems and practical problems in the branch of professional legal activity (or in the learning process)”. The Master also “has a practical orientation, in particular, to develop practical skills and abilities to solve complex, complex legal problems under uncertain conditions in a short time.” The Bachelor program “is based on modern knowledge of legislation and regulatory and instructional materials in the branch of jurisprudence; modern ideas about trends, patterns of scientific development. The program

provides integration of professional training in the branch of law with innovative, practical and research activities”. In almost identical terms, the Master program “is based on modern knowledge of legislation and regulatory and instructional materials in the field of jurisprudence; modern ideas about trends, patterns of development of science. The program provides integration of professional training in the field of law with innovative, practical research activities”).) The language feels copy/pasted from other sources without deeper reflection on how a Bachelor or Master program in Western Ukraine in the 21st century should be structured.

## 2.2. Curriculum design

*The field of the programme structure shall be assessed in accordance with the following criteria:*

- *study subjects and/or modules are spread evenly, their themes are not repetitive;*
- *the content of the subjects and/or modules is consistent with the type and level of the studies;*
- *the content and methods of the subjects/modules are appropriate for the achievement of the intended learning outcomes;*
- *the scope of the programme is sufficient to ensure learning outcomes;*
- *the content of the programme reflects the latest achievements in science, art and technologies.*

In addition to the remarks already made with regard to program aims and learning outcomes, the Expert Team was not impressed with the structure of the curriculum. In significant parts, the curriculum seems to be simply a continuation of the Bachelor program for another 2 years. This is suggested by course pairings such as

### **Bachelor**

Administrative law  
Civil law and civil procedure  
Commercial law  
Constitutional law  
Criminal law and procedure

### **Master**

Current issues in administrative law  
Current issues in civil law and civil procedure  
Current issues in commercial law  
Current issues in constitutional law and process  
Current issues in criminal law and procedure

In other cases, the courses seem too basic for a Master level program. For example, courses such as “Legal bases of activity of judicial system and prosecutor’s office” and “Legal bases of activity of law enforcement office” might be better situated in a Bachelor level program. The same is probably true of “Constitutional principles of activity of state authorities and local self-government”.

Furthermore, it is not discernible whether or to what extent the educational program is designed to serve students who are already working, although the majority of students confirmed that they are. There does not seem to be a good integration of study and work. Quite to the contrary, the program seems to ignore this fact and, thus, the opportunity of using the employment of the students and their work experience to the advantage of the academic program.

According to the Master SER, students have 30 ECTS of practical training in the second and fourth semesters. The aims and tasks of this internship seem to be exactly the same already listed for the practical training in the Bachelor. It was not possible to find out what kind of tasks the Bachelor and Master students perform during this internship period or who controls and assesses the activities that students carry out. It was explained during the virtual site visit that each student must submit a report on their practical experience in placement, but no further details could be provided. Although the Expert Team gathered as much information as possible, based on this information the Team came to the conclusion that the program does not ensure that the students in the Master program are able to engage in more complex and higher value activities that correspond to their graduate education level.

Due to the generality of the subjects studied in the Master program (and in spite of the Master's title), it seems difficult to affirm that the curriculum is employment-relevant. While a student who completes first the Bachelor at the HEI and then the Master, will have a decent basic legal education enabling him or her to begin working as a lawyer, the Master is accessible not only to graduates of the Bachelor in Law but also to candidates from other disciplines. However, without the benefit of the Bachelor, it is the opinion of the Expert Team that the Master program does not ensure a contemporary lawyer's education, responding to the needs of the labour market and practice-oriented learning outcomes.

Furthermore, there is some confusion at the HEI about what student-centered learning is and what competences and learning outcomes are, as if the HEI is not very much used to work with these concepts. However, the lack of clarity could also be, at least in part, a problem of translation. In spite of the fact that the learning outcomes seem to be consistent with the level of legal studies, it would be useful to distinguish generic/subject-specific competences, and acquired competences/expected results.

While there are many high quality Master of Laws (LL.M.) programs in the region and around the World, the HEI does not even try to emulate best practice examples of other universities when it comes to curriculum design. Overall, the Expert Team got the impression that the curriculum design is based on the principle „what can we do with our current resources“ rather than „what needs to be done“. The Expert Team concludes that the Master program is unambitious, mainly extends the basic legal education of the Bachelor program at the HEI, and does not reflect the latest achievements in science, art and technologies.

### **2.3. Teaching staff**

*The teaching staff shall be evaluated according to the following criteria:*

- *the qualifications of the teaching staff are adequate to ensure learning outcomes;*
- *the number of the teaching staff is adequate to ensure learning outcomes;*
- *teaching staff turnover is able to ensure an adequate provision of the programme;*
- *the higher education institution creates conditions for the professional development of the teaching staff necessary for the provision of the programme;*
- *the teaching staff of the programme is involved in research (art) directly related to the study programme being reviewed.*

The Expert Team was provided with a document entitled “Project - The Concept of Legal Education Development”. This seems to be a document propagated by the Ministry of Higher Education in Ukraine. The documents postulates the following “strategic goals”:

Strategic goal 1. The system and structure of legal training is optimized and meets modern international and European standards.

Strategic goal 2. The system of competitive admission to law schools provides selection of motivated and trained people.

Strategic goal 3. Educational programs of law schools provide high quality training of a lawyer.

Strategic goal 4. The state controls the quality of learning outcomes in law schools through the effectiveness of the external quality assurance system of higher legal education.

Strategic goal 5. Law schools ensure that higher legal education students acquire a high level of applied practical skills.

Unfortunately, the Expert Team was not provided with concrete examples how the HEI is seeking to systematically pursue these goals.

Between the first contacts with the HEI based on the SER, a back-and-forth of questions before and during the site visit, and documents submitted after the site visit at the insistence of the Expert Team, there were some difficulties with determining who is actually a member of the faculty of the HEI full time, part time, adjunct, or otherwise. The SER suggests in one place that the faculty is composed of 25 members. In another, the number is 12 persons, all of whom seemed to be affiliated with the canon law department. Only 6 faculty CVs were originally provided.

In the end, the Expert Team was given more or less expansive CVs of 6 faculty members and the findings are based on the assumption that these are the 6 individuals currently and actually teaching law subjects in the Master program. All of these professors are also teaching in the Bachelor program.

An evaluation of the qualifications and teaching assignments of these faculty members shows that many of them are teaching a wide range of subjects almost all across the entire curriculum.

For example, the head of the canon law department is listed as teaching “Judicial and law-enforcement bodies”, “Litigation in commercial courts”, “Economic law”, as well as “Agrarian and land law” in the Bachelor program and, in addition, “Current issues of commercial law and commercial proceedings (case law)”, “Advocacy”, “Arbitration proceedings”, “Legal bases of activity of judicial system and prosecutor's office”, as well as “Legal bases of activity of law enforcement bodies” in the Master program. Canon law, by contrast, is absent from his areas of teaching.

While other faculty members are not quite so widely active, it became quite clear to the Expert Team that the HEI is trying to cover too much ground with too few instructors. According to the SER, some 18 courses are being offered to the students in the Master program in the course of their 2 years of studies. Since the HEI is admitting new students into the program on an annual basis, it means that the same 18 courses have to be offered every year. In plain English, this means that each of the 6 faculty members has to teach 3 different courses per year just in the Master program. If we add the 62 or so courses in the Bachelor program, for which the same 6 plus another 6 faculty members are responsible, the individual course load rises to almost 7 different courses per year. In terms of contact hours, the faculty is engaged in lectures and seminar meetings with students for a total of 2892 hours in the Bachelor program and 764 hours in the Master program every year. With the breakdown into semesters, this means that each and every faculty member, on average, has to spend about 12 hours per week in class with the students. This is obviously in addition to class preparation, exam preparation and grading, individual student meetings and office hours, plus any institutional service and academic research.

As a consequence, many of the faculty members will be struggling to keep up with the latest developments in their many fields of activity. They will be forced to recycle their notes and materials and will have limited time and energy to think about institutional development and self-improvement.

According to the SER, professors are only required to update the list of literature, clarify the chapters of the course, introduce new information into the contents of the course, etc, once every 2 years. In light of the very high workload, the members of the Expert Team think that the teaching staff is not even able to do it every 2 years, although this should be a constant feature of the instructional process.

This overextended situation explains at least in part why the program aims and the curricular structure have not been reformed more and why lofty goals expressed in the SER and other documents have not really been implemented in practice.

The situation does not get any better from the fact that the HEI does not seem to have a systematic and ongoing approach toward assessing and developing the teaching methodology of the faculty members or even ensuring that state-of-the-art materials are used and knowledge is imparted. This was also apparent after the conversation with the students. The Expert Team came to the conclusion that there is simply no time for much self-reflection and self-improvement, neither at the institutional, nor at the individual level.

In addition to the teaching obligations, the faculty members are supposed to engage in research and to publish their research results. The majority of the faculty members are indeed quite active and do publish at least occasionally. The publication record of some faculty members is even impressive. However, upon closer look, many of the publications are placed in the in-house academic journal of the HEI or otherwise published in book format by the HEI itself. This does not conform to international best practice standards for academic research because there is no independent or peer review or external quality assurance.

The same problem of self-referential structures appeared in at least some of the practice placements of the student. As in the Bachelor program, many students do their internships at Silverland Law Firm, conveniently founded and owned by the Rector of the HEI. Silverland also becomes a significant employer after graduation. Other important practice placements are with a local notary and a local attorney, both of whom are also on the list of faculty. Even faculty recruitment is somewhat self-referential. One person who graduated from the HEI Master program in 2019 was hired as a teacher for the Bachelor program in February of 2020. 3 of the 6 faculty members are graduates of Uzhhorod State University and only two professors are listing teaching experience *at any university other than the HEI* on their CVs!

One of the most striking features of the faculty was the fact that not one of the 6 faculty members is female. This is not only surprising for a modern institution of higher education, it is completely unacceptable for a program that actually carries the name “human rights” in its very title.

Although the faculty is clearly short staffed for the wide range of courses that have to be taught on a regular basis, all the HEI was willing and able to do about this in recent years was to hire yet another male graduate to join the faculty and teach a majority of female students. The Expert Team very strongly urges the HEI to diversity its faculty with regard to gender, as well as educational background and professional experience, to bring more diverse viewpoints and experiences to the educational programming! The Expert Team strongly encourages future assessment teams to deny any further accreditations to the HEI unless actual steps toward achieving an appropriate gender balance have been taken.

Overall, the Expert Team got the impression that the HEI cannot simultaneously provide the fundamentals of a Master program in law and a satisfactory level of specialization in human rights with its current resources. To develop a program in human rights that is more than a token expression of a fashionable subject, and to make the program more relevant to the professional needs of the graduates, subjects such as “civil/human rights and police accountability”, as well as “human rights in prisons” should be added as required or highly recommended courses. Furthermore, the analysis of the European Convention of Human Rights and the case law of the Strasbourg Court probably requires more than one course of 5 ECTS, and another course on international human rights protection at the level of the United Nations (UN) etc. should also be added. Finally, additional time and effort will be needed to address contemporary challenges with freedom of speech on the internet, privacy and data protection, as well as sustainable development and the effects of climate change on human rights. This cannot be done without an expansion of the teaching staff.

As a medium-term strategic goal, the number of different subjects taught by a faculty member should also be reduced to no more than 2 to 3 specializations.

## **2.4. Facilities and learning resources**

*Facilities and learning resources shall be evaluated according to the following criteria:*

- *the premises for studies are adequate both in their size and quality;*
- *the teaching and learning equipment (laboratory and computer equipment, consumables) are adequate both in size and quality;*
- *the higher education institution has adequate arrangements for students' practice;*
- *teaching materials (textbooks, books, periodical publications, databases) are adequate and accessible.*

The Expert Team was provided with photographs and video footage of the premises, including library stacks and work spaces, teaching rooms, meeting rooms, corridors, canteen, gyms, outdoor spaces etc. The University has 45 academic classrooms, a large assembly hall with 120 seats, a small assembly hall with 70 seats, two computer classrooms, research laboratories, and a chapel. The premises appear adequate in size and quality.

Staff and students seemed satisfied with the number and quality of the IT equipment available to them. However, some IT machines are old and should be replaced as soon as possible. Also, there should be more space for the researchers and teachers to work without other people being present in the space (individual work spaces).

The students in the Master program have to spend 30 ECTS (2 x 15) in practical training during the 2nd and 4th semester. During the practice placement, students are supposedly being supervised by a faculty or staff member of the University and a supervisor at the placement institution.

The HEI provided the Expert Team with a list of partner institutions where the students can carry out their practice. The listed institutions have partnership agreements with the University and are also social partners and employers of alumni. It seems that the collaboration with the law firms, notary offices, corporations, and government agencies works well and provides a pathway to employment upon graduation. Students also have the right to choose their own placements and the HEI has entered into ad hoc agreements with non-listed placement providers to facilitate these student preferences. However, the Expert Team was not provided with representative information about the actual work done by students during the practice placements, the evaluation or assessment of their performance, and any procedures of feedback or evaluation of the quality of the placement.

While a number of international practice possibilities were mentioned in the SER and accompanying documents, the Expert Team did not get clear answers to the question whether any of the Master students were able to make use of these. First, none of the students in the virtual meeting seemed to have the necessary language skills to undertake meaningful professional activities in a foreign environment, although a foreign language exam is supposedly one of the admission requirements of the program. Language instruction offered at the University seems to be focused on basic communication skills, while instruction in legal English and the legal language equivalent in other languages does not seem to be available. Second, since the majority of students were older and already working, it would also not seem feasible for them to leave to study abroad for several weeks, let alone an entire semester.

Students listed the practical experience as one of the best parts of the program. Therefore, the HEI should consider expanding practical training opportunities both in size and scope and by adding a bigger variety of institutions. Furthermore, practical skills should be integrated in a range of courses that are currently presented mostly as frontal lectures.

While the HEI reports to have a legal clinic, it does not feature in the curriculum at all. There is a course “Advocacy” being offered for 2 hours/week in the 1st semester but the Expert Team does not believe that the students can do meaningful clinical work in that time frame.

During the site visit, the Expert Team made a virtual visit to the library. At first glance, the facility seemed to have a reasonably large collection of materials. However, upon closer inspection, it quickly became apparent that the scope and depth of the collection is embarrassingly limited. The University provides the students with the textbooks required in the different classes. These are taken from the library collection and have to be returned at the end of the semester. The Expert Team did not get detailed information, how many of the 20’000 volumes in the library consist of such multi-copy textbook stacks, nor how up to date - or out of date - these materials are.

When the Expert Team asked the librarian to show the collection of human rights law, the librarian was barely able to show 3 or 4 books on the subject, none of them in languages other than Ukrainian or Russian.

The Expert Team is aware of the difficulty of providing up to date textbooks and research materials for the students, including international journals and monographs, but encourages the University to develop this critical part of the collection in a way that enables students to work with current statutory and case law and state-of-the-art science and doctrine.

The University emphasized the availability of various electronic resources, including databases and books. It makes sense for institutions of higher education to shift their library collections increasingly into electronic access materials, in particular in a country like Ukraine, where funds for expensive books are limited and even shipment of physical collections from international publishers is a challenge. However, on the list of databases available to the students, the Expert Team saw only national resources. Even free international resources such as SSRN, Academia.edu or ResearchGate were not listed, although they give free online access to thousands of publications in the areas of activity of the HEI.

The Expert Team came to the conclusion that the librarian(s) at the University are not sufficiently knowledgeable to provide support to the students and teaching- and research staff with regard to freely accessible international resources, as basic as Google Scholar, or the databases of the European Union (EurLex and InfoCuria) and the Council of Europe (HUDOC), let alone fee-based resources like HeinOnline, Beck-Online, JStor, EBSCO, and the like.

The HEI seems to rely on the V. Vernadskii National Library in Kyiv as an important additional resource for the students and teaching- and research staff. The HEI has an agreement with this library to allow student access to online resources. However, the list of online resources provided in the SER contains mostly general sources, such as language learning resources. The most significant online resource listed in the SER is the Gale OneFile database. While the SER claims that the “42 million English-language journal articles since 1980” cover also “law”, a closer look at OneFile shows that the subjects cover “Business & Economics, Health & Medicine, Media & Fine Arts, Criminal Justice, Literature, Drama, Political Science & Diplomatic Studies, Science & Technology, Biology, Chemistry, Environmental Science, Psychology, and U.S. History.” There is no general focus on law and no systematic coverage of human rights law, or international and comparative law. Even just a few minutes of searches on OneFile showed that important journals like the *American Journal of Comparative Law*, *American Journal of International Law*, *European Journal of International Law*, *European Journal of Law Reform*, *Hague Journal on the Rule of Law*, *International Human Rights Law Review*, or the *Oxford Human Rights Law Review* are missing. On the other hand, the database does include journals like the *Asia-Pacific Journal of Human Rights and the Law*, the *Asian Journal of Comparative Law*, the *Harvard International Law Journal*, the *International and Comparative Law Quarterly*, and many others. As a result, the OneFile database is not ideal but it does provide the students

with broad access to many international publications, including many important law journals and law reviews. The remaining question is whether the students can make effective use of this access or whether the procedures are too cumbersome or slow or the students and teaching- and research staff simply lack the necessary research skills.

After the meeting with teaching staff and students, the Expert Team was not convinced that faculty, staff, and students were actually able to use international sources in their research and class preparation.

Without having conclusive information on the matter, the Expert Team recommends that the University should provide more information about access to free online databases, and provide both students and teaching- and research staff with digital literacy courses.

### ***2.5. Study process and students' performance assessment***

*The process of studies and assessment thereof shall be carried out in accordance with the following criteria:*

- *the admission requirements are well-founded;*
- *the organisation of the study process ensures an adequate provision of the programme and the achievement of the learning outcomes;*
- *students are encouraged to participate in research, artistic and experimental development activities;*
- *students have opportunities to participate in student mobility programmes;*
- *the higher education institution ensures an adequate level of academic and social support;*
- *the assessment system of students' performance is clear, adequate and publicly available;*
- *professional activities of the majority of graduates meets the programme providers' expectations.*

According to the SER, “Admission of students to the *educational program Law (II)* is conducted in accordance with regulations, orders, letters and orders of the Ministry of Education and Science of Ukraine. A Bachelor's degree is a prerequisite for admission. According to the Rules of Admission to the Augustyn Voloshyn Carpathian University (<http://www.kau.com.ua/vstupniku>), entrants wishing to study under this educational program must pass a single state entrance exam in law and a single state entrance exam. Foreign language exam. The required minimum number of points that students must score on the results of each exam is 100.” The Expert Team is not able to assess whether this is a low or an average or a high bar for admission, for example compared to Uzhhorod National University.

The Expert Team did not get detailed information to determine to what extent admission to the HEI is competitive. The Expert Team got the impression that students choose this HEI mostly because of its location close to their homes and/or work places. The Expert Team was also told that the HEI fulfils an important social and economic function in the region by providing educational opportunities to lower income families. However, word-of-mouth recommendations by current and former students also seem to play a significant role. Overall, the Expert Team came to conclude that there is a high degree of satisfaction with the institution and its programs among current and former students and a high level of loyalty also from the side of social partners and employers.

That being said, the HEI disclosed in the SER that admission to the Master program is not only open to candidates with a Bachelor in Law but also to candidates with undergraduate degrees in other disciplines. This is in line with Ukrainian legislation. To be admitted, non-lawyers have to pass “an additional professional exam in the speciality at the University” to “confirm their

knowledge in the speciality of Law”. Since the curriculum does not contain any courses that would seem to bring non-lawyers to a graduate level of knowledge on par with their fellow students who already have four years of law studies completed, the HEI and Ukrainian law seem to assume that a simple entry exam can ensure that the students will be able to follow the program and not hold their lawyer colleagues back. The Expert Team does not accept that this can be a realistic assumption and that it should be in the hands of the HEI to evaluate whether a person has the necessary knowledge for graduate studies in law which lead to a law license and the possibility of being admitted to the bar as an attorney. However, the Expert Team was only told that “[a]ll the necessary information is posted on the university website: a list of questions, exam dates, requirements for knowledge, skills, abilities.” The SER also states that “Applicants for legal education must be ready to defend human rights and fundamental freedoms, constitutional values, the rule of law, committed to the principles of human morality and professional dignity, justice, equality, impartiality, independence, empathy and adherence to high ethical standards.” Yet, the Expert Team was not able to find any indicators how the HEI is trying to verify these criteria in the admission process. Due to the virtual nature of the site visit, the Team was not able to review actual entry exams, let alone the grading standards applied and the level of skills and knowledge required for admission. This should be investigated on site by a future assessment team before further accreditations are extended.

The Expert Team refers to its previous remarks about curriculum structure and focus with regard to some of the weaknesses of the study program and process.

According to the SER, the students were able to participate in 3 international research projects in recent years on topics such as refugee and migrant rights, rights of people with disabilities, and protection of socially vulnerable groups. However, the Expert Team was not able to assess how many students were able to participate in these projects and whether students are generally encouraged to participate in research, artistic and experimental development activities, although the HEI also seems to organize multiple academic conferences and events every year in which at least some of the students can play an active role.

A small number of students have had the opportunity of participating in student mobility programs, including exchange opportunities in a number of EU Member States. The Expert Team was not able to determine whether these kind of placement opportunities are sufficiently available to all interested students.

To the extent the Expert Team was able to assess, the HEI ensures an adequate level of academic and social support. The students and graduates the Expert Team heard of certainly expressed their satisfaction with the available support.

During the study program, the students have to pass exams and submit various types of papers and other assignments to obtain credit for the courses taken. Most tests and exams can be re-taken if necessary. Before the final degree is certified, the students have to “write an interdisciplinary course work in the 4th semester. In this course work, students must present research on theoretical and practical issues in law and human rights. The student has the right to choose a course and propose a problem with the justification of its feasibility. Approval of the names of topics and supervisors of term papers is carried out by the Department of Law and Canon Law.” Furthermore, the students have to pass a comprehensive final exam and/or defend their Master thesis. Until 2020, the comprehensive final exam was organized by the HEI. From 2021, the comprehensive final exam will be a “single state qualifying exam in accordance with the Standard and Resolution of the Cabinet of Ministers of Ukraine of May 10, 2018 № 354.” The performance of its graduating students in this new state exam will be an important quality check for the HEI.

From what the Expert Team could determine, the assessment of student performance in the classroom-based courses seems to be adequate. However, the Expert Team has some doubts that

the assessment system is sufficiently transparent and publicly available. The website of the HEI, as the main source of public information, was not clear with regard to program aims and learning outcomes and how they would be achieved and how the achievements would be assessed in an objective and scientific manner.

Unfortunately, due to the virtual nature of the site visit, the Expert Team was also not able to review a representative cross-section of written exams and the way they were graded. This is a matter of significant concern and the Expert Team would like to invite future assessment teams to review this matter to ensure that the educational program relies on meaningful assessments that actually meet the stated program goals before further accreditations are granted.

Similarly, the Expert Team was also not able to review actual Master theses to verify that the research conforms to the level to be expected in graduate studies in law.

The Expert Team initially did not understand whether the HEI has to shift from a final Master thesis to a final exam requirement after the introduction of the new state exam. The SER is unclear in this regard. Further clarifications were obtained during and after the site visit and the Expert Team now understands that the new state exam is mandatory for every Master student while the Master thesis is not. In order to focus on preparation for the state exam, the HEI decided to eliminate the thesis requirement. While the Expert Team welcomes the introduction of the state exam by the Ukrainian government as a means of ensuring that the large number of current institutions offering legal education in Ukraine do so at a sufficiently high level, the Experts assume that the state exam will be a general law exam while the thesis would have given an opportunity for students at the HEI to broaden and deepen their understanding of human rights. Therefore, the Expert Team would recommend that the students at the HEI still have to write and defend a Master thesis, in addition to the final state exam, or at least be given the opportunity and encouragement to do so.

The SER also contains some language about academic integrity but once again this remains on a rather abstract and theoretical level. However, it seems that the HEI is providing the necessary instruction about academic integrity and the consequences of violations and uses software that supports Ukrainian language review (Advego Plagiatus and Plagamme). The Expert Team was not able to review student theses and check references and run its own plagiarism checks.

Neither the SER nor the meetings with the administrators and teaching staff clarified for the Expert Team how the university assesses the practical training (including training of different nature) and the performance of individual student tasks during the practical training. The students and social partners generally talked about practical training, not identifying specific benefits and challenges they face.

Overall, the Expert Team concluded that the admission system, study process and student performance assessment seem to be in line with current Ukrainian legislation. Nevertheless, the Expert Team does not believe that the admission system, study process and student performance assessment are at the level that would be desirable to qualify the students for the legal profession, in particular when looking beyond the purely local labor market. The performance of its graduating students in the new state exam will be an important quality check for the HEI.

## ***2.6. Programme management***

*Programme management should be evaluated according to the following criteria:*

- *responsibilities for decisions and monitoring of the implementation of the programme are clearly allocated;*
- *information and data on the implementation of the programme are regularly collected and analysed;*

- *the outcomes of internal and external evaluations of the programme are used for the improvement of the programme;*
- *the evaluation and improvement processes involve stakeholders;*
- *the internal quality assurance measures are effective and efficient.*

According to the SER, the responsibilities for management decisions are divided between the Rector, who is also listed as “the owner” of the HEI and dean of the law department in the SER, the educational department, the dean’s office, the “profile department”, and the “guarantor of the educational program”. There is also a student council and a scientific society of postgraduate students. Interestingly, the SER does not mention the Academic Council in this context.

In another place, the SER states that “the collegial governing body of the University is the Academic Council” and makes references in various contexts to decisions and programs that were discussed and/or approved by the Academic Council.

In spite of multiple inquiries before and during the virtual site visit, the Expert Team was not provided with sufficient information to determine the exact division of responsibilities of the Rector/Owner and Dean on the one side, and the Academic Council on the other. However, since only 25% or 7 of the 28 members of the Academic Council seem to be elected by the faculty, staff or students, and the remaining 75% or 21 members are on the Council based on their positions or by appointment, it probably does not make much of a difference.

The impression of the Expert Team that the Rector/Owner is running a tight ship was confirmed in various meetings during the site visit. The fact that none of the staff or faculty members had any critical remarks or complaints about the HEI could, at least in theory, be attributed to the University doing a great job in its educational mission and in taking care of its community. However, if not one single student in a group of about 10 has anything to say other than the claim that everything is perfect, nothing could be better, the library has everything they need, nothing should be changed or improved, and everyone would recommend the HEI to their family and friends, the Expert Team has to come to the conclusion that either the group was carefully selected and monitored or the HEI has not fostered an atmosphere of critical thinking and open dialogue.

The Expert Team is willing to give the benefit of the doubt to the HEI this time but the Expert Team would strongly encourage future assessment teams to ensure that the fundamental human right of freedom of speech is respected in the meetings with the various stakeholders.

That being said, the Expert Team got the impression that the students are passive recipients of the programmatic decisions made at the HEI and are not taking an active role in the development of the curriculum and other decisions of direct concern to them. Nor did the students at the meetings show any expectations in this regard.

In combination, the lack of critical opinions and the apparent lack of participatory procedures involving the students takes Expert Team back to earlier findings according to which much of the HEI is still stuck in Soviet-style approaches. The idea of a liberal education and the formation of critical thinking as a paramount benefit of higher education has to be implemented more systematically at the HEI.

With regard to data collection, analysis, internal and external evaluations, and quality assurance, the SER makes a number of fairly abstract statements and claims.

The SER claims that “The university has a feedback system with all stakeholders. There is a WEB-page on the university's website, where every person can comment on the ... organization of the educational process and educational and methodological support. The university maintains constant relations with graduates. ... Suggestions for improving the educational program are

made by employers, as well as practical leaders.” Several examples are also provided where suggestions were made by these stakeholders and taken up by the HEI.

The SER outlines that “The university has a system of internal quality assurance of education, which provides: a) Monitoring and regular analysis of curricula, mechanisms for updating and improving the contents of the educational program (list of subjects of compulsory and elective components), ensuring the attractiveness of the educational program (academic mobility program, "Double Diploma", "School in Europe"), support constant contacts with stakeholders, social partners, enterprises and institutions of the region. b) The university has a clear procedure for adherence to academic integrity and professional ethics. ... c) The university has a clear, understandable and transparent system of evaluation of students' knowledge. ... d) Ensuring the optimal training staff, which includes: - procedures for selection and appointment of specialists in accordance with the level of professional and scientific competence; - procedures for professional development and improvement of professional skills of educational specialists; - regulation and use of procedures for dismissal of persons who have shown professional incapacity; - involvement of practitioners in training process. e) Information systems and publicity. The university has its own website, which is regularly updated. An objective index of the quality of education is the including of the university to informational websites (Unified State Electronic Database on Education, “Osvita.ua.”, e-systems: “Vstup.edbo.gov.ua“, “IC Конкурс”), that reflects an adequate indicators of data on the university, its educational resources and activity. The monitoring mission on compliance with the procedures of internal assurance of qualitative education is entrusted to the Academic Council of the University, which in accordance with its main tasks provides control over activity of the University. Conclusion. The implemented management system on education quality is aimed at ensuring the provision of high quality educational services and training of competitive specialists, the university administration is working on further development and improvement of the quality of management processes at the university.”

While this language does tick most of the right boxes, the Expert Team did not detect much application of these principles and procedures in the daily practice of the HEI. If these systems were really in place and working, it would be hard to understand why the curriculum remains dated, the focus on human rights is poorly reflected in the program, the sequencing of the courses is less than ideal, etc. Also, the website of the HEI is quite basic and certainly does not provide as much information as it could and should.

In this regard, the Expert Team got the impression that program management, quality assurance, and self-improvement do not seem to be priorities the university has developed at all or to which it devotes specific human or financial resources. Along the same lines, the HEI does not seem to utilize or involve the different stakeholders sufficiently in this process. The lack of a real emphasis on human rights is just one of the most visible consequences of this.

Finally, it is not clear at all whether and how the HEI made the transition to student centred learning. There does not appear to be an ongoing or at least annual review of program content and teaching methodologies. Nor does there seem to be any support for professors in updating them on methodological issues. At the meetings Expert Team was told that faculty and staff could, and did, attend courses organised by other universities, but we were not told that specific training activities would take place at the university itself.

The Expert Team concludes that the HEI seems to be in compliance with its obligations under Ukrainian law with regard to program management and quality assurance. However, the Expert Team concluded that the HEI does not use enough internal and external evaluations and quality assurance measures or at least does not use them as effectively as it should. Indeed, the Expert Team strongly encourages the HEI to respond to the recommendations in the present evaluation and launch the necessary reforms, to implement a cultural shift away from centralized control to more collaborative decision-making, to encourage all stakeholders to speak openly and critically,

and to reduce its self-referential or closed-loop feedback circles by bringing in external voices and expertise.

## **2.7. Examples of excellence \***

To the extent the Expert Team was able to detect, the strongest features of the Master program in law and human rights activities - and the institutional structures that deliver it - are the following:

The Master program is accessible to local students who are not able to go elsewhere in Ukraine to study and, in particular, to lower income students who cannot afford the higher fees of other institutions of higher education. While this also limits the financial resources and, therefore, the ability of the HEI to deliver its programs at the highest level of quality, the HEI is encouraged to continue its affordable local programming as far as possible.

The HEI is comparatively small and is making good use of its more limited size by providing a more personalized educational experience and making the students feel well-taken care of. The Expert Team was impressed with the high degree of loyalty to the HEI expressed by all stakeholders, both within the HEI and among the group of employers and other social partners. This is a reflection of the team spirit and perception of belonging conveyed to the students. The HEI is encouraged to maintain its personal and caring approach to the educational process.

Last but not least, the Expert Team gained the impression that the social partners and employers of graduates of the HEI were very satisfied with their qualifications and work ethic. While this does not necessarily mean that the students were provided with the best possible education, it does suggest that they were given what they need to be able to perform in the kind of jobs they are likely to find locally, for example in the public administration, the police and other law enforcement services, small and medium size enterprises, etc. The HEI is encouraged to maintain close relationships with its social partners to ensure as much as possible that reforms toward a state-of-the-art education in national and international comparison will not come at the expense of the professional and personal qualities that are most appreciated in the local job market.

### III. RECOMMENDATIONS

#### 1. *Programme aims and learning outcomes*

Augustine Voloshyn Carpathian University (“the HEI”), is recommended to reconsider its program objectives with a view towards addressing and/or improving:

(a) the links between the program objectives and the overarching role (mission) the HEI as an institution of higher education with a limited regional role, in particular with regard to

- many of the graduates finding employment in law enforcement or in the public administration,
- increasing professional and economic opportunities in neighboring EU Member States.

(b) the declared focus of the program on human rights, which must become more than a lofty goal and needs to be reflected across the entire curriculum and enriched with more current issues in human rights.

The HEI needs to become more responsive to changes in the market and the needs of the contemporary legal profession. The HEI has to carefully monitor to what extent its program aims and learning outcomes serve the graduates well in the regional labor market and has to have mechanisms that allow it to plan several years into the future to make sure that students starting today will be optimally qualified and practice ready 2 years down the line.

In general, the HEI has to become more self-critical and nimble at implementing reforms. A modern institution of higher education can only meet its responsibilities to the students and staff and remain competitive in the long term if it develops a culture of constant self-reflection and self-improvement. The HEI should develop a systematic program of external peer review to have fresh eyes on potential weaknesses and get anticipated reforms validated by experienced academics and university administrators with broader external perspectives on a regular or even constant level, rather than just sporadically during accreditation and re-accreditation procedures. Any reform plans have to become more specific, with clear targets, deadlines, financing solutions, and implementation responsibilities.

(c) Specific recommendations:

- “Competences” vs. “learning outcomes” need to be more clearly distinguished and articulated for the program aims and on the website;
- The labor market opportunities for the graduates of the Master program need to be more clearly represented in the marketing, i.e. that the majority of the graduates will not have pathways to becoming attorneys, prosecutors, judges, notaries, etc. but will be working as assistants to these legal professionals, as well as civil servants in the public administration, law enforcement, etc.
- The human rights component of the program is insufficiently developed; either, the HEI needs to drop “and human rights activity” from the program title and admit that it is offering a general Master in law, or the HEI needs to strengthen human and civil rights in the program to reflect a real focus on these areas of the law;
- Given the location on the border of the EU, the HEI should strengthen its international and EU law offerings with courses such as “International Business Transactions”, “International Trade Law” and “European Union Law” or “Trading in and with the EU”.

#### 2. *Curriculum design*

The curriculum in the Master program feels like an extension of the Bachelor program which, in turn, does not seem to have changed much since Soviet times. The Expert Team recommends the following reforms:

- The curriculum is a scattershot approach to all things law with a bit of sprinkling of human rights on top. Unless the entire program is aimed at students NOT coming from an undergraduate program in law, it makes little sense to spend the majority of the 90 ECTS on subjects titled “current issues” of anything law.
- In light of the fact that the graduating students will now have to pass a centralized state exam to be certified as “Masters” of law, i.e. to receive their law license, it would make sense for the HEI to design maybe half of the program in relation to the subjects tested on the state exam and spend the other half on the human rights specialization that bears the name of the program.
- If the human rights dimension is to be retained in the curriculum, it not only needs to be expanded, it also needs to include international and comparative approaches to human rights law, in particular at the level of the United Nations (UN).
- Public International Law and its interaction with national (constitutional) law will be required before International Human Rights Law can be effectively taught.
- The list of elective subjects should be expanded to give the students actual choices, i.e. there should be more than 23 ECTS offered for the 23 ECTS required for graduation. As it is, the elections are made by the administration and not by the students.
- Instead of -- or at least in addition to -- the general language courses currently on offer, the HEI should offer professional level language instruction, in particular legal English.
- The entire system of the practical training or traineeships should be monitored more actively to make sure that the students receive state-of-the-art opportunities. At present, it is not clear whether there is sufficient oversight and quality control.
- Future assessment teams should visit the legal clinic and review whether students can work with real life clients under the competent supervision of licensed attorneys and whether best practice standards for clinical legal education are generally observed.

### 3. *Teaching staff*

The HEI is offering too many subjects with too few instructors. The faculty members have to cover too many different areas and have to teach too many hours per week. This makes it hard -- if not impossible -- for the faculty members to participate meaningfully in the institutional development and to dedicate enough time to self-improvement, as well as academic research. The faculty -- and to some extent the entire university -- is also working too much like a closed loop and is largely self-referential. About half of the faculty have no experience teaching at other and larger institutions of higher education. Some have studied at the HEI and are teaching there now, without having any meaningful outside experience. Faculty publish mostly in house. The Expert Team recommends the following reforms:

- The teaching staff is too small and spread out too thin. The workload of teaching staff should be reduced, both in quantity (contact hours per week), and in quality (fewer different subject areas), to enable the faculty to be more involved in the program management and to dedicate more time to research and placement of articles and books with publishers unconnected to the HEI.
- The number of teaching staff needs to be increased. Since the current faculty is 100% male (although the student body seems to be majority female), the expansion has to bring about greater diversity with regard to gender, age, etc.
- Hiring decisions should also take into account the goal of diversifying the academic experience of the faculty members, i.e. the HEI needs to hire more faculty with significant teaching experience at other universities in Ukraine and abroad. A hiring preference should be given to candidates with PhDs from other institutions of higher education including, for example, Central European University and similar international institutions.
- To the extent these goals cannot be achieved in the short term, the HEI should bring in visiting professors and guest speakers as a regular component of the program. At least some

of this can be done via online delivery. In this respect, participation in international programmes such as Erasmus+, as well as in programmes launched by national agencies, such as those of the DAAD in Germany, should be encouraged and strengthened.

- The HEI should provide teaching staff with support and courses to improve their pedagogical skills to add different and more engaging methods in their teaching and to adapt their teaching methods to the student-centred learning approach. The HEI should develop a systematic program for constant self-improvement of teachers and classes. For example, student evaluations should be done not only at the end of a course but students should be integrated into a feedback cycle, together with peer review and external review, on an ongoing basis.
- The HEI should require and support teaching staff in the improvement of (academic/professional) English skills and expand contacts and faculty exchange opportunities with highly ranked international universities. The lack of English proficiency amongst most senior and many junior academics is a problem for international research and scientific publications.
- The HEI is recommended to foster student-centred learning, for example by using problem-based learning approaches and inverted learning, i.e. shifting more strongly from frontal lecturing to students preparing the material through self-study and workshop-type contact lessons.
- Teaching staff should be encouraged and supported to conduct research and publish the results in national and international fora. In-house publication should be discouraged unless and until the HEI establishes a system of double-blind peer review with external reviewers for every submission.

#### **4. *Facilities and learning resources***

The university owns its facilities and seems to have overall sufficient space and decent working conditions. Nevertheless, the Expert Team recommends the following reforms:

- The library collection is very limited and focused on providing the textbooks for the classes, rather than material for additional self-study and research. To better manage with these limitations, the HEI needs to ensure top quality access to and choices in online resources. Not only the librarian(s) but also the faculty, staff, and students, should be given training to make better use of online resources.
- The IT equipment is also limited and at least some of the computers are advanced in age. The HEI needs to ensure that sufficiently fast and reliable computing resources are available to all faculty, staff and students. This is all the more important in light of the physical limitations of the library and the lack of high quality academic libraries in the city and region.
- High quality IT equipment is also important to enable the HEI to develop partnerships with other academic institutions, co-opt online conferences and courses, and generally diversify the educational offerings for its students.
- As mentioned before, the practice placements need to be better documented and supervised to ensure optimal results for the students.

#### **5. *Study process and student performance assessment***

In addition to the points already mentioned earlier in the report and in these recommendations, the Expert Team recommends the following reforms for the study process and student performance assessment:

- The HEI needs to ensure that admission criteria and procedures evolve with the evolving market situation. There are too many institutions offering law programs in Ukraine. There are currently more students enrolled in law programs at institutions of higher learning in

Ukraine than there are legal professionals in the market. The job situation may not yet be critical but will become much more difficult in the future for newly graduated lawyers to find jobs that correspond to their qualifications and it is the responsibility of the HEI to provide potential students with a clear and honest picture of their future opportunities.

- Along with the admission criteria and procedures, the study process as a whole needs to be carefully developed to make sure that the students receive the best possible education in accordance with the “the latest achievements in science, art and technologies.”
- Instead of at least some of the very theoretical courses (“Constitutional Principles of Activity of State Authorities and Local Self-Government” etc.), the university should (also) focus on practical, social and communication skills and competences.
- The HEI should take better advantage of the opportunities that the law clinic can offer. The Expert Team was unable to gain sufficient information about this program component and urges future assessment teams to look into the clinic with particular care.
- Along similar lines, the HEI needs to review the whole system of traineeships and establish a clear and transparent system for their supervision.
- The HEI should formalize and systematize feedback from social partners and students regarding internships.
- Students must be provided with better opportunities for language learning at the professional level, with an emphasis on legal English. As part of this reform, the HEI should consider having visiting scholars from abroad coming to speak or even teach entire courses at the university in English.
- Better language training can then be used for an expansion of student mobility opportunities.
- Different methodologies should be used in the study process and, in particular, in the assessments. Although the Expert Team was not able to review actual student exams and answers, it was our impression that the exams are too theoretical. Assessments need to be done for a majority of courses with real-life case-studies and scenarios for which the students have to deliver comprehensive analysis of cases and practical solutions.
- Results of the first centralized final state exam have to be carefully evaluated and used to fine-tune the curriculum, course delivery systems, and assessments during the Master program to make sure that future graduates will have a fair chance at passing this exam.
- The Expert Team recommends that the requirement of an academic final thesis is retained.

## **6. Programme management**

In the analysis of the Expert Team, the current program management is the weakest link at the HEI and the cause of most of the other weaknesses outlined in this report. The distribution of managerial responsibilities at the HEI has remained rather unclear to the Expert Team, however, it seems that the owner and rector is not only the ultimate authority but involved in pretty much every part of the business and program management. Such a highly centralized approach is unusual for a university and contradicts the very ideals of modern higher education. Consequently, the Team is suggesting the following reforms:

- Program management responsibilities should be distinguished between business decisions (taken by the owner, rector, or department heads), and academic decisions (taken by the academic council or the faculty).
- The current top-down approach needs to be transformed rapidly and effectively to turn the HEI into a more nimble institution that allows a variety of opinions and approaches. To become a modern and competitive university, the HEI needs to reflect the ideals of liberal education and aim at producing creative thinkers rather than conforming apparatchiks.
- In this regard, the HEI needs to bring in outside experts and administrators as mentors and advisors. The Expert Team suggests formal partnerships or twinning arrangements with bigger and more advanced universities in the region, for example Central European University. The HEI may be able to compete for grants from institutions such as the DAAD

or the Soros Foundation for program modernization, faculty hiring and support, visiting scholars and speakers, research collaboration, etc.

- To ensure successful implementation of such a reform strategy, the HEI should develop a clear plan and publish verifiable steps how the program management will change -- including meaningful delegation of powers away from the central administration -- and how new and different priorities will be set in the coming months and years. The same is true for the development of the curriculum, the faculty, and the teaching and other resources.
- Since the political, economic, legal, and academic environment in Ukraine, Central and Eastern Europe, and the World at large is rapidly changing, the HEI needs to foster a mentality of constant and dynamic movement.
- The system of quality assurance has to reflect this change. The current top-down approach needs to give way to a quality culture along the lines of the Japanese Kaizen culture in which every stakeholder is at all times striving to make suggestions for the improvement of the institution and the educational process and the gradual elimination of all weaknesses and shortcomings, and in which the institution never discourages and always welcomes these suggestions.
- Future assessment teams should carefully analyze to what extent the HEI has taken up and implemented these reform suggestions. It would be a great disappointment if another team should have to encounter groups of students to whom everything is already perfect, and nothing can be or should be or needs to be improved!

## IV. SUMMARY

The following is a summary of the findings of the expert panel based on the Self-Evaluation Reports (SER) and the interviews with the University administration (senior management and faculty administration staff), staff responsible for the preparation of the SER, teaching staff and stakeholders (students, alumni, employers, social partners). Although the study program seems to be in conformity with Ukrainian law and practice, the HEI, by turning to the SKVC, is seeking an approval pursuant to standards applicable in the European Union. When measured against these standards, the Expert Team has to give a negative evaluation to the implementation of study programme *Law and Human Rights Activities* the Second Cycle at Augustine Voloshyn Carpathian University with several areas of evaluation assessed as unsatisfactory.

Augustine Voloshyn Carpathian University fulfills a significant and important role in Uzhgorod and the Zakarpattia Oblast. It is in many cases the only option for lower income students and those who cannot move elsewhere to obtain higher education. The HEI has done a good job in building goodwill and support among the population and, in particular, the social partners and the academic community itself.

At the same time, the HEI has not been able to sufficiently transform itself from an old Soviet style institution into a modern institution of higher education dedicated to international best practice standards when it comes to program and curriculum design, the development of state-of-the-art teaching and research resources, and modern management techniques. More specifically:

The program aims and learning outcomes are not sufficiently clearly defined and do not reflect the level expected for a Master program (essential).

The curriculum design is unambitious and does not show a sufficient focus on human rights. A Master level program in human rights law delivered in a member State of the Council of Europe and signatory to the European Convention on Human Rights has to provide deeper engagement with the Convention system and a comparative analysis to human rights protection at the EU and the UN (essential).

By contrast to the Bachelor program of the HEI, the graduates of the Master program should not be limited to professional opportunities as assistants or mid-level administrators in the public or private sector. Since they are able to take the new state exam and obtain a license as attorneys and, therefore, access to a broad range of professional positions at executive and leadership levels and/or requiring a law degree, the Master program cannot be a mere extension of the Bachelor program but has to be a significantly more ambitious and higher level program. However, this is currently not the case. Furthermore, the study program overall is not well-integrated with practical training. In general, more comparative and international law, rather than a largely national focus, would strengthen the program and the job opportunities of the graduates. This should be sensibly paired with preparation for the new state exam, and practice relevant training (essential).

Professional level instruction in legal English – rather than primarily basic English language instruction – has to be provided (essential).

The teaching staff is stretched too thin over too many subjects and courses and is, therefore, not able to dedicate sufficient time for self-reflection, programmatic and institutional reform, as well as research and publishing. The expansion of the teaching staff to cover the wide range of subjects and tasks has to bring about a better balance of gender and experience (essential).

The facilities at the HEI seem to be adequate, although some of the IT equipment should be updated (desirable).

The physical library collection is unsuitable as a resource for a Master program in human rights law. The HEI has to ensure that online resources are easily accessible via high speed computer

links and that the library staff is well-trained in supporting the students and the faculty in accessing national and international databases and materials (essential).

The study process is torn between the delivery of a program for recent graduates of the HEI's bachelor and delivery of a program for professionals and even non-lawyers. Non-lawyers can be admitted into the Master in human rights law after passing an internal exam of unknown content and rigour. Many courses seem to be extensions of the bachelor program and it is not clear whether the level is commensurate with the expectations for a Master program. The Expert Team was not able to assess student performance assessment but the HEI has to make sure that the overall level of the studies and assessments is in line with best practices of a Master program (desirable).

The program management is too centralized and does not foster a culture of constant self-reflection and self-improvement. Open dialogue and critical analysis are not promoted. The entire institutional culture is too self-referential and does not engage sufficiently with national, regional and international peers in a quest for discovery and implementation of international best practice standards. The HEI has to achieve a cultural shift to create a 21<sup>st</sup> century liberal education culture where all stakeholders are actively contributing to program design, program management, and quality assurance (essential).

While the HEI in its current status is a decent but dated institution with many traditional features of centralized management and able to provide a satisfactory level of education for a Bachelor program in law, the expectations for a Master level program, certainly under the standards of an SKVC accreditation, are significantly higher. At present, the Expert Team does not have confidence that the HEI is able to meet those standards. Significant reforms will be necessary before the HEI can realistically claim that it provides an international level of excellence and a Master program where the next generation of critical thinkers and leaders for the legal profession in Ukraine can be cultivated.

## V. GENERAL ASSESSMENT

The second cycle study programme *Law and Human Rights Activities* at Augustine Voloshyn Carpathian University is given **negative** evaluation.

*Study programme assessment in points by evaluation areas.*

| No. | Evaluation Area                                    | Evaluation of an area in points* |
|-----|--|----------------------------------|
| 1.  | Programme aims and learning outcomes               | 1                                |
| 2.  | Curriculum design                                  | 1                                |
| 3.  | Teaching staff                                     | 1                                |
| 4.  | Facilities and learning resources                  | 1                                |
| 5.  | Study process and students' performance assessment | 2                                |
| 6.  | Programme management                               | 1                                |
|     | <b>Total:</b>                                      | 7                                |

\*1 (unsatisfactory) - there are essential shortcomings that must be eliminated;

2 (satisfactory) - meets the established minimum requirements, needs improvement;

3 (good) - the field develops systematically, has distinctive features;

4 (very good) - the field is exceptionally good.

Expert Panel's chairperson: Prof. Dr. iur. Frank Emmert LL.M., FCI Arb