



Department of Law

RESEARCHERS' GUIDE

ACADEMIC YEAR 2009-2010

JULY 2009

Welcome to the Law Department!

This *Guide* provides information on the PhD and LLM programmes, including course requirements and supervision. It also lists this year's seminar titles and Faculty staff. It can be consulted online at <http://www.eui.eu/DepartmentsAndCentres/Law/RulesForms/> where information on academic activities is regularly updated. Other important documents and regulations can be found at: <http://www.eui.eu/ServicesAndAdmin/DeanOfStudies/Index.aspx> <http://www.eui.eu/Documents/ServicesAdmin/DeanOfStudies/EUI-RulesRegsNovember2008.pdf> and <http://www.eui.eu/Documents/ServicesAdmin/AcademicService/CodeofPracticeSupervisionNov031.pdf>

On arrival at the Institute, you will also receive two further documents to help you get started:

- i. The teaching programme in Law for the whole year, also available in full at: <http://www.eui.eu/DepartmentsAndCentres/Law/ResearchAndTeaching/Seminars/Index.aspx>
- ii. First-Year Researchers' and US students' thesis topics and provisional supervisors

If at any time you need greater clarification of the rules or help in administrative matters, please contact the Departmental Assistant, Ms Alison Tuck.

Professor Hans Micklitz, the departmental Director of Graduate Studies, has a general responsibility for all matters related to the course of study, including (but not limited to) issues of supervision, seminar and course attendance, admission to successive years, fulfilment of requirements, etc. If you have problems related to any of these issues which cannot be solved by Alison Tuck or by your supervisor (or his/her secretary), please address Professor Micklitz.

On 1 November 2009, when my own three-year term as Head of Department ends, Professor Marise Cremona will take over as the new Head of Department.

We wish you all a very fruitful and enjoyable stay at the Institute.

Ernst-Ulrich Petersmann
Head of the Law Department
July 2009

N.B. At the time this *Guide* went to press, the new EUI web site had not yet been launched. We apologise in advance if any of the links inserted do not work properly.

Correct Postal Address:

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Internet address: <http://www.eui.eu/DepartmentsAndCentres/Law/>

E-mail: (first name.family name)@eui.eu

Main EUI Address:

Badia Fiesolana

Via dei Roccettini, 9

I-50014 San Domenico di Fiesole

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1. BASIC INFORMATION ABOUT THE DEPARTMENT

1.1. PEOPLE

FULL-TIME PROFESSORS			
Name	EUI/Dept.Responsibilities	Office	Tel..
Fabrizio CAFAGGI	RSCAS Committee	VS 26	2516/2241
Marine CREMONA	Head of Department (from 1/11/2009)	VS 25	2524/2241
Bruno DE WITTE	(until 31/3/2010)	CA 19	2728/2275
Francesco FRANCIONI	Mediterranean Progr. Committee	CA 25	2542/2275
Hans-W. MICKLITZ	Director of Graduate Studies	CA 20	2556/2306
Marie-Ange MOREAU		VS 30	2214/2241
Dennis PATTERSON		VS 34	2245/2306
Ernst-Ulrich PETERSMANN	Head of Department (until 31/10/2009)	CA 17	2753/2241
Ruth RUBIO MARIN	LLM Programme Coordinator	VS 62	2527/2275
Giovanni SARTOR		CA 10	2528/2275
Martin SCHEININ		CA 18	2589/2275
JOINT RSC/LAW PROFESSORS			
Miguel POIARES MADURO	(from 16 October 2009)	LP 11	2422/2306
Heike SCHWEITZER	US Exchange Programme Coordinator	SD	2882/2306 /2751
EMERITUS PROFESSOR			
Giuliano AMATO		VS 26	2584/2275
ADMINISTRATION			
Marlies BECKER	Secretary to H. Micklitz, D. Patterson, M. Poiares Maduro, H. Schweitzer, web-editor	VS 38	2306
Annick BULCKAEN	Secretary to G. Amato, B. De Witte, F. Francioni, R. Rubio Marin, M. Scheinin	VS 29	2275
Anna CODA NUNZIANTE	Secretary to F. Cafaggi, M. Cremona, M.A. Moreau, E.U. Petersmann, web-editor	VS 37	2241
Siobhán GALLAGHER	Secretary to G. Sartor, LLM Programme, Fellows, Working Groups, <i>Nouvelles</i> , Working Papers, Mailing List	VS 24	2239
Pieter JESPERS	Administrative Site Officer	VS 28	2546
Alison TUCK	Departmental Assistant	VS 39	2577

VS = Villa Schifanoia; **CA** = Casale at VS; **SD** = Convento at San Domenico, **LP**: Villa La Pagliaiuola at San Domenico. If calling from OUTSIDE the EUI, remove the initial 2 from all tel. numbers: e.g. 055 4685 577

Machteld NIJSTEN	Library Information Specialist	Library	2259
Saverio BERTACINI	VS-Site Office vs-site@eui.eu		2553
Researcher Reps (until the end of 2009): Moritz JESSE , Nikolaus KYRIAKOU , François-Xavier MILLET , Philippe REYNIERS			
POST-DOC FELLOWS			
FERNAND BRAUDEL FELLOWS			
2009	Period of Stay	Areas of Research	
Wolfgang KERBER University of Marburg	15 September- 15 December	Methodological problems of the use of an economic approach to the law (e.g. competition law)	
Kaarlo TUORI Helsinki University	15 September- 15 December	The many constitutions of Europe	
Siegfried WIESSNER St. Thomas University School of Law, Miami	10 September- 10 December	The ILA Commentary on the UN Declaration on the Rights of Indigenous Peoples	
2010			
Mary FOOTER University of Nottingham	1 April-30 June	The role of soft law in international economic relations	
Gaetano PENTASSUGLIA Liverpool Law School	25 January-23 April	Minority groups and international human rights: current issues	
Bernard RYAN University of Kent at Canterbury	15 January-23 April	Labour, migration and the law	
Peter VAN DEN BOSSCHE Maastricht University	15 January-14 April	Comparative analysis of dispute settlement under multilateral, regional and bilateral trade agreements	
MARIE CURIE FELLOWS			
Dia ANAGNOSTOU Hellenic Foundation for European and Foreign Policy, Athens	January 2010- December 2011	Rights, legal mobilization and minorities in the ECHR	
Michaela FRULLI University of Florence	January-December 2010	Criminalization of attacks against cultural property and the emerging new regime for the protection of cultural heritage	
GULBENKIAN FELLOW			
Evaldo XAVIER GOMES	September 2009- August 2010	The EU and the protection of indigenous peoples	

MAX WEBER FELLOWS (all with offices at Villa La Fonte)	
	Research to be undertaken at the EUI
Ayse Idil AYBARS	The development of gender equality law in Turkey under the influence of the EU accession process and the human rights regime of the UN
Valentina CALDERAI	The role of private regulation in the design of property rights in the markets for energy
Elaine FAHEY	European Union law in the Irish Legal order • Article 234 EC in the Irish courts • The European Arrest Warrant in Irish law 2005-2008 • Challenging legal base: Considering the Data Retention Directive Challenge by Ireland in C-301/06
Gianluigi FIORIGLIO	New conceptualization of the right to privacy, focusing on its e-health profiles and on new legal tools to protect it in the Information Society.
Anita JURSKA-GAWRYSIAK	Examination of constitutional, legal and administrative aspects of the implementation of EU law into the domestic legal system in the United Kingdom and in the Republic of Poland
Merilin KIVIORG	EU law affecting the freedom of religion or belief and of interplay between EU law and the ECHR in matters of law and religion
Jernej LETNAR ČERNIČ	Corporate obligations relating to economic, social and cultural rights in national legal orders and at the international level. Also, a study analyzing the application of human rights law in Central and Eastern Europe and in the Basque country.
Laura MAGI	The employment by international organizations of private security companies in the context of peace-keeping or peace-building operations.
Irit SAMET	The way in which ideas and concepts from moral theory inform the development of the law of equity

1.2. CALENDAR OF DEPARTMENTAL ACTIVITIES 2009-2010

FIRST TERM 31 August - 18 December 2009

August 2009				
24	Monday	-	EUI re-opens	
26	Wednesday	-	Registration of new researchers	Badia Fiesolana
31	Monday	-	Start of Academic Year and First Term begins	
September 2009				
1	Monday	-	Registration of all new fellows	Badia Fiesolana
2	Tuesday	09.30 - 11.30	Interdisciplinary introduction to the Library's electronic resources - for all researchers and post-doc fellows	Theatre, Badia Fiesolana
9	Wednesday	10.00	First meeting of Head of Department, Director of Graduate Studies, Law Secretariat, Researcher Reps with new researchers	Sala Europa
		11.00	Introductory meeting for new researchers and fellows with Law Library Information Specialist, Dr Machteld Nijsten	Sala Europa
		12.00 - 13.00	Introduction to computing facilities for Law researchers	Sala Europa
		13.15	Executive Committee (<i>Head of Department only</i>)	
14	Monday	09.30-12.30	Law department meeting (<i>professors and reps only</i>)	
16	Wednesday	14.30	Academic Council	
17	Thursday	14.30	Admissions Committee	
23	Wednesday	10.00 - 12.30	Full introduction to the Law Department for all new researchers, US exchange students, fellows and visitors - seminars to be presented by the professors	Sala Europa
		12.30	Welcome Drink for all members of the Law Department	Sala Bandiere
		13.15	Executive Committee (<i>Head of Department only</i>)	
26	Saturday	-	Integration Day for all new researchers and US exchange students at Pontignano, near Siena	
28	Monday	-	Monday 28 September – Friday 2 October First "buzz" week for 1 st year researchers	
29	Tuesday	-	Deadline: Registration for 1st Term seminars	
		-	Deadline: US exchange students to communicate programme requirements of home universities to Law Department	
October 2009				
1	Thursday	10.00 - 12.00	Inaugural Lecture in Law by Prof. Francis Jacobs	Sala Europa
		-	Deadline: Submission of 2007/8 LL.M. theses	
2	Friday	afternoon	Annual Conferring Ceremony	Badia Fiesolana

5	Monday	-	Start of seminars
		-	Deadline: Submission of 1st year researchers' Personal Research Plans (all Ph.D. and LL.M. researchers) including information on credits
7	Wednesday	09.30 - 12.30	Departmental meeting (<i>professors and reps</i>)
		13.00 - 14.30	Faculty seminar (<i>professors and fellows</i>)
		14.30	Introductory meeting with Prof. Schweitzer to introduce US exchanges for EUI students
12	Monday	14.30	Admissions Committee (Deferrals)
14	Wednesday	13.15	Executive Committee (<i>Head of Department</i>)
19	Monday	14.30	Appeals Committee
21	Wednesday	14.30	Academic Council
23	Friday	-	Deadline: 2 nd and 3 rd year researchers' submission of Revised Personal Research Plan, including progress needed to satisfy the Institute's requirements
28	Wednesday	13.15	Executive Committee (<i>Head of Department</i>)
30	Friday	-	Deadline: 1st and 2nd readers' LL.M. reports
November 2009			
2	Monday	-	EUI closed for All Souls Day
4	Wednesday	09.30 - 12.30	Departmental meeting (<i>professors and reps</i>)
		13.00 - 14.30	Faculty seminar (<i>professors and fellows</i>)
5	Thursday	-	Budget Committee
11	Wednesday	13.15	Executive Committee (<i>Head of Department</i>)
18	Wednesday	14.30	Academic Council
20	Friday	-	Deadline: Presentation of 3rd readers' LL.M. reports
25	Wednesday	13.15	Executive Committee (<i>Head of Department</i>)
December 2009			
1	Tuesday	-	Deadline: Registration of US exchange papers
		-	Deadline: Registration of 2 nd Term seminars
		-	Deadline: Final decisions on 2008/9 LL.M. theses
		-	Deadline: Law applications for 2010/11 US exchanges. See Dept. rules on application procedure; this deadline is earlier than general EUI deadline (15.1.10)
2	Wednesday	09.30-12.30	Departmental meeting (<i>professors and reps</i>)
		13.00-14.30	Faculty seminar (<i>professors and fellows</i>)
9	Wednesday	13.15	Executive Committee (<i>Head of Department</i>)
15	Tuesday	-	Deadline for PhD: outline of thesis and plan of "May Paper", and for LL.M: outline of the thesis
16	Wednesday	-	High Council
		14.30	Academic Council
18	Friday	-	End of First Term and seminars
24	Thursday	-	Thursday 24 December – Wednesday 6 January EUI closed for Christmas/New Year

SECOND TERM 11 January - 31 March 2010			
January 2010			
7	Thursday	-	Institute re-opens
11	Monday	-	Start of term and seminars
		-	Deadline: Requests to change between LL.M/Ph.D
13	Wednesday	-	Deadline: Submission of US exchange papers
		9.30 - 12.30	Departmental meeting (<i>professors and reps</i>)
		13.00-14.30	Faculty Seminar (<i>professors and fellows</i>)
		13.15	Executive Committee (<i>Head of Department</i>)
15	Friday	-	Final EUI deadline for US exchange requests
20	Wednesday	14.30	Academic Council
25	Monday	-	Monday 25 January- Friday 29 January Second "buzz" week
27	Wednesday	13.15	Executive Committee (<i>Head of Department</i>)
28	Thursday	14.30	Admissions Committee (US exchanges)
29	Friday	-	Deadline: Applications for 2 nd instalment of 4 th year grant to start on 1 March 10 (i.e. after 42 months)
February 2010			
3	Wednesday	9.30-12.30	Departmental meeting (<i>professors and reps</i>)
		13.00-14.30	Faculty seminar (<i>professors and fellows</i>)
10	Wednesday	-	Deadline: Professors' reports 2nd instalment of 4th year grant
		13.15	Executive Committee (<i>Head of Department</i>)
17	Wednesday	14.30	Academic Council
24	Wednesday	9.30 - 12.30	Departmental meeting – preselection and flagging of new students (<i>professors and reps</i>)
		13.15	Executive Committee (<i>Head of Department</i>)
26	Friday	-	Deadline: 1 st year thesis-related Paper to supervisors
		-	Friday 26 February – Friday 5 March Preselection committees with national authorities (<i>one Law professor in each committee</i>)
March 2010			
1-5	Monday-Friday	-	Friday 26 February –Friday 5 March Preselection committees with national authorities
10	Wednesday	9.30-12.30	Departmental meeting (<i>professors/reps</i>)
		13.00	Faculty Seminar (<i>professors and fellows</i>)
		13.15	Executive Committee (<i>Head of Department</i>)
15	Monday	-	Deadline for ERASMUS applications
17	Wednesday	14.30	Academic Council
22	Monday	-	Monday 22 – Friday 26 March Third "buzz" week
24	Wednesday	13.15	Executive Committee (<i>Head of Department</i>)
31	Wednesday	-	End of Second Term

April 2010			
1	Thursday	-	Thursday 1- Tuesday 6 April EUI closed for Easter
THIRD TERM 12 April - 25 June 2010			
12	Monday	-	Third Term starts
12 - 15	All week	-	Monday 12 – Thursday 15 April PhD student interviews
14	Wednesday	14.30	Academic Council
19	Monday	-	Deadline: Request for passage to 3rd year from Sept. 09 (with evidence of ¼ work completed)
19 - 20	Monday- Tuesday	-	LLM interviews
21	Wednesday	9.00 -12.30	Departmental meeting (<i>professors and reps</i>)
		13.15	Executive Committee (<i>Head of Department</i>)
22	Thursday	14.30	Admissions Committee
May 2010			
5	Wednesday	9.30	Departmental meeting (<i>professors and reps</i>)
		13.00-14.30	Faculty seminar (<i>professors/fellows</i>)
6	Thursday	9.30	Budget Committee
12	Wednesday	13.15	Executive Committee (<i>Head of Department</i>)
13	Thursday	9.30	Research Council
14	Friday	9.30	Research Council
19	Wednesday	14.30	Academic Council
20	Thursday	-	Deadline for PhD "May Papers"
26	Wednesday	13.15	Executive Committee (<i>Head of Department</i>)
June 2010			
1	Tuesday	-	Deadline: Request for 4th year grant from Sept. 09 and 2/3 work completed
2	Wednesday	-	EUI closed: Festa della Repubblica Italiana
4	Friday	9.30	High Council
7 - 11	All week	-	Monday 7 - Friday 11 June First year May Paper defence week
9	Wednesday	13.15	Executive Committee (<i>Head of Department</i>)
16	Wednesday	9.00 - 12.15	Departmental meeting (<i>professors and reps</i>)
		12.30 - 14.00	Faculty seminar (<i>professors/fellows</i>)
		14.30	Academic Council
24	Thursday	14.30	Admissions Committee
25	Friday	-	Third Term ends
July 2010			
1	Thursday	14.30	Appeals Committee
7	Wednesday	13.15	Executive Committee (<i>Head of Department</i>)

August 2010			
5	Thursday	-	Thursday 5 – Wednesday 18 August (<i>to be confirmed</i>) EUI closed: Ferragosto
19	Thursday	-	EUI re-opens

Academic Year 2010-2011			
25 August	Wednesday	-	Registration of new researchers
30	Monday	-	Start of Academic Year and First Term
		-	Deadline: Re-submission of May, 1/4, 2/3 papers
8 September	Wednesday	13.15	Executive Committee
15	Wednesday	14-30	Academic Council
16	Thursday	14.30	Admissions Committee
22	Wednesday	13.15	Executive Committee
1 October	Friday	-	Deadline: Submission 2009-2010 LLM theses
		pm	Annual Conferring Ceremony, Badia
11	Monday	14.30	Admissions Committee
13	Wednesday	13.15	Executive Committee
16	Thursday	14.30	Appeals Committee
27	Wednesday	13.15	Executive Committee
1 November	Monday	-	EUI Closed (All Souls)

1.3. COURSES and SEMINARS for 2009-2010

For full details:

<http://www.eui.eu/DepartmentsAndCentres/Law/ResearchAndTeaching/Seminars/>

FIRST TERM : (October-December 2009)		
Deadline for enrolment: Tuesday, 29 September		
Marise CREMONA	Advanced Course on EU External Relations Law	Tuesday, 11.00-13.00 Sala Triaria
Bruno DE WITTE and Ruth RUBIO MARIN	Law and Cultural Diversity: A Constitutional & European Perspective	Monday, 11.00-13.00 Sala Belvedere
Francesco FRANCONI	Advanced Course on International Law and Human Rights: The Influence of General International Law on Human Rights Adjudication	Thursday, 11.00-13.00 Sala Triaria
Hans MICKLITZ	The European Economic Constitution Revisited	Monday, 17.15-19.15 Sala Triaria
Marie-Ange MOREAU	Social Fundamental Rights	Tuesday, 8.45-10.45 Sala Triaria
Dennis PATTERSON and Giovanni SARTOR	Advanced course in jurisprudence: law, interpretation and rights	Tuesday, 15.00-17.00 Sala Triaria
Ernst-Ulrich PETERSMANN	The Role of Courts in European Law & International Law: Constitutional Problems of Judicial Governance	Tuesday, 17.15-19.15 Sala Triaria
Miguel POIARES MADURO and Bruno DE WITTE	Advanced Course in EU Constitutional Law	Monday, 15.00-17.00 Sala Triaria
Martin SCHEININ	Legal issues in the fight against terrorism: Substantive challenges	Thursday, 15.00 – 17.00 Sala Triaria
Heike SCHWEITZER and Wolfgang KERBER, FBF	Competition, Innovation & Intellectual Property Rights	Thursday, 8.45 – 10.45 Sala Triaria

SECOND TERM : (January-March 2010)		
Deadline for enrolment: Tuesday, 1 December		
Fabrizio CAFAGGI	The Law and Economics of Long-Term Contracts	Thursday, 11.00 – 13.00 Sala Triaria
Marise CREMONA and Pascal VENNESSON, SPS	The European Union and the World (for SPS and LAW researchers)	Tuesday, 11.00-13.00 Sala Triaria
Francesco FRANCONI and Marie-Ange MOREAU	The Impact of Public International Law on Private International Law	Tuesday, 8.45-10.45 Sala Triaria
Hans MICKLITZ	Transnational Contract Law and Rough Justice	Monday, 17.15-19.15 Sala Triaria
Dennis PATTERSON	Theoretical Foundations of International Law	Thursday, 17.15-19.15 Sala Triaria
Ernst-Ulrich PETERSMANN and Pieter VAN DEN BOSSCHE, FBF	Advanced Course on European & International Economic Law: Constitutional Problems of Law and Economics	Tuesday, 17.15-19.15 Sala Triaria
Miguel POIARES MADURO and Fabrizio CAFAGGI	EU Law and Private Regulation	Tuesday, 15.00-17.00 Sala Triaria
Ruth RUBIO MARIN and Stéphanie HENNETTE-VAUCHEZ, MCF	The Gender of European and Constitutional Jurisprudence	Monday, 11.00-13.00 Sala Belvedere
Giovanni SARTOR and Fabrizio CAFAGGI	Regulating the information society: Norms, rights and values for the cyberspace	Tuesday, 8.45-10.45 Sala Triaria
Martin SCHEININ	The Law of Treaties	Thursday, 15.00 – 17.00 Sala Triaria
Heike SCHWEITZER	Corporate Governance and (In-) Efficient Capital Markets. A Fresh Look in Times of Crisis	Thursday, 8.45 – 10.45 Sala Triaria

1.4. RESIDENCE REQUIREMENTS

In accordance with the EUI rules, researchers must reside in Florence during term time, i.e. 31 August-18 December 2009, 11 January-31 March 2010 and 12 April-25 June 2010, unless otherwise authorized, for the duration of the Ph.D. and LL.M. programmes.

1.5. STUDENT STATUS: FIVE YEAR MAXIMUM OF REGISTRATION

Student status is automatically granted to all researchers in the LL.M. programme and to all Ph.D. researchers for a maximum of 60 months, i.e. 5 years, from the date of first registration in the programme until they defend their thesis, provided this is within 5 years. Those with student status may participate in all EUI activities and benefit from all the facilities (library, computing facilities etc). The right to submit the thesis is also dependent upon student status.

No extension of student status beyond the normal five year limit, and therefore **no submission of a thesis after five years**, is allowed except on the basis of extenuating circumstances of a personal or professional nature which have interfered with a record of good progress and have caused unforeseen delay. In order that the Admissions Committee may make a decision in such cases whether to grant an extension, and, if so, for what period of time, before the end of the 5-year period the Committee must receive (i) evidence of any such extenuating circumstances, (ii) evidence of the current state of progress of the thesis, and (iii) a detailed plan for completion and submission within a specified period of time.

Some types of absence from the Institute and/or involvement in activities other than thesis-related research do not count towards the calculation of the sixty months/five years. These exemptions are outlined below.

1.6. LEAVES OF ABSENCE

EUI rules available at <http://www.eui.eu/Documents/ServicesAdmin/DeanOfStudies/EUI-RulesRegsNovember2008.pdf>

- a. Apart from de minimis periods [i.e. no longer than one week per term], researchers must obtain the written permission of their supervisor to be absent from the Institute during term-time. Requests should provide appropriate information about the purpose and length of the period of absence. If approved by the supervisor, requests for up to 2 months should be sent to the Head of Department and Director of Graduate Studies for approval together with the supervisor's comments, and copied to both the supervisor's secretary and to the Departmental Assistant. Requests must be made as far in advance of departure as possible.
- b. For absences of a period of 2 months or more, the same procedure as at a. above applies, but the Admissions Committee will also need to approve the request. There is no special form to complete.
- c. Permission should only exceptionally be granted for absences of more than one week.

d. More than one prolonged departure within a twelve month period will not be permitted and accumulation of absences will be discouraged. This includes US exchange programmes and traineeships/stages.

e. The maximum overall period of intermission for which any combination of these is permitted is 18 months.

The EUI does not permit leaves of absence in order to follow degree courses in other universities during the EUI Ph.D. programme.

During all leaves of absence, a researcher must confirm contact details with the supervisors' secretary and arrange to have the pigeon-hole checked and emptied.

1.7. LINGUISTIC DIVERSITY

The Law Department attaches particular importance to the maintenance and encouragement of linguistic diversity in all of its activities. It therefore encourages both professors and researchers who wish to do so to express themselves in French during seminars and other departmental activities, and encourages the use of Italian and other languages wherever these can be used by all or most of those concerned. Everything possible should be done to encourage such diversity.

The writing of theses in languages other than English continues to be encouraged wherever this is desired by the researcher and appropriate supervision is available.

Students applying for admission to the Department should take full account of this policy.

1.8. WORKING GROUPS

Parallel to weekly courses, more informal working groups may be established on the initiative of interested researchers on a departmental or inter-departmental basis. A list of the working groups in the Law Department is published on the web site at <http://www.eui.eu/DepartmentsAndCentres/Law/ResearchAndTeaching/WorkingGroups/>. Working groups usually organize a series of meetings in which researchers from the EUI and occasionally invited lecturers working on similar topics cooperate. The Department encourages such initiatives. Under certain circumstances, presentations in working groups can be taken into account by second and third year researchers as a way of fulfilling the Department's requirement of presenting the progressing doctoral research twice a year, provided the supervisor attends the presentation. The Head of Department should be informed of any new working groups that are set up. For practical help in setting up or running working groups, please consult Siobhán Gallagher.

2. FIRST YEAR

2.1. INTRODUCTORY MEETINGS

All new researchers are required to attend three introductory meetings. New fellows are welcome to attend the first and are particularly requested to attend the second:

- i. **Wednesday, 9 September 2009 at 10.00** in Sala Europa, Villa Schifanoia - with Prof. **Ernst-Ulrich Petersmann**, Head of Department, Prof. **Hans Micklitz**, Director of Graduate Studies, and the Law Administration, followed at **11.00** by an Introduction to the Library by **Machteld Nijsten**, Law Information Specialist.
- ii. **Wednesday, 23 September 2009 at 10.00-12.30** in the Sala Europa, Villa Schifanoia - with all Law Faculty members, at which the professors will briefly describe their seminars, followed by a **Welcome Drink** for all members of the Department in the Sala Bandiere at **ca. 12.30**.
- iii. **Saturday, 26 September 2009, 9.00-22.00**. Integration Day for all new researchers and US exchange students at Pontignano, near Siena. Further details will be made available in September.

2.2. TWO SPECIAL EVENTS

We encourage participation in:

- i. **Inaugural Lecture** by Prof. Francis JACOBS, King's College London and former Advocate-General at the European Court of Justice, on Thursday, 1 October, 10.00-12.00, Sala Europa
- ii. **Distinguished Lecture** by Prof. Giorgio SACERDOTI, Bocconi University and Member of the Appellate Body of the WTO, at a date to be determined in October.

2.3. SUPERVISION AND PERSONAL RESEARCH PLAN

2.3.1. EUI SUPERVISORS

These guidelines should be read in conjunction with the EUI *Code of Practice on Doctoral Supervision*: <http://www.eui.eu/Documents/ServicesAdmin/AcademicService/CodeofPracticeSupervisionNov031.pdf>

On arrival at the Institute in August, research students will be given the name of the professor they should each contact to discuss research plans and the possibilities of supervision. This should be done as soon as possible in September.

The supervisor will counsel and guide the researcher throughout the doctoral/LL.M. programme. Researchers are welcome to contact any other professor in the EUI to discuss their research, but they will formally report to only one supervisor within the Department. If, however, the researcher's supervisor leaves the Department prior to the researcher completing his/her thesis, an additional internal professorial advisor will be appointed to the researcher.

2.3.2. PERSONAL RESEARCH PLAN (PRP)

By **5 October 2009**, every first-year researcher will agree, in consultation with the supervisor (who may at this stage only have been provisionally identified), a

Personal Research Plan (<http://www.eui.eu/DepartmentsAndCentres/Law/RulesForms/FirstYearRequirements.aspx>), which will:

- i. identify the general profile of the doctoral or LL.M. research project
- ii. specify the courses the researcher will follow as part of his/her programme
- iii. specify the ways in which the researcher will earn credits
- iv. specify the ways in which the researcher should comply with the Department's language requirements (for details see point 2.6.6. below).

The PRP should be signed by both the researcher and the supervisor and given to Siobhán Gallagher. Any future alterations to the PRP must be made on the original.

The final decisions on supervision will be prepared in agreement between the professors with the relevant expertise; the Head of Department and the Director of Graduate Studies, taking into account the needs and preferences of the researchers, as well as the relevant expertise and workload of the professors. The final list will be approved by the Law Department at the November departmental meeting.

A change of supervisor or of thesis topic still remains possible after that date, but all changes, including to the curriculum, must be agreed by the researcher and his/her supervisor **on the Personal Research Plan** and formally documented by the Director of Graduate Studies (original to be returned to Siobhán Gallagher). It is up to the researcher to have these changes registered. Minor amendments to the thesis title should be communicated to Alison Tuck for amendment in the database.

2.3.3. EXTERNAL CO-SUPERVISORS

In exceptional circumstances, if the expertise required to supervise a thesis is not fully available within the Department, an external co-supervisor may be appointed either from another EUI department or from outside the EUI.

Any Ph.D. or LL.M. researcher wishing to have an external co-supervisor should discuss the matter with the internal supervisor who, if in agreement, will seek the approval of the Department at one of its monthly meetings. The Head of Department will then send an official letter to the external professor asking whether s/he is prepared to act as a co-supervisor. Researchers are not expected to contact the prospective external co-supervisors themselves. External co-supervisors will not be directly involved in decisions on May Papers. These will be read and marked by permanent professors in the Department.

2.3.4. INTERNAL PROFESSORIAL ADVISORS

When a researcher's original supervisor leaves the Institute, arrangements will be made either:

- i. to appoint a new internal supervisor (either as a sole supervisor, or as joint supervisor together with the departing professor), or,
- ii. in cases where the decision is made to retain the departing supervisor as the sole supervisor, to appoint an additional Internal Professorial Advisor from the current full-time staff to provide the researcher with an on-going point of contact

with the life and work of the Department. The Internal Professorial Advisor will not be expected to provide supervision. Instead, his or her role will be to ensure that the welfare and administrative needs of the researcher are met.

2.4. ORGANISATION OF STUDIES

2.4.1. THE DOCTORATE IN LAW

The Law Department, like the other EUI departments, offers a four-year course leading to the doctorate. The general rules governing admission and the course of doctoral studies are given below. The first year of the doctoral programme leads to the conferring of the *Master in Comparative, European and International Legal Studies (LL.M.)*. In the first year, researchers in the doctoral programme follow a series of seminars and courses jointly with the LL.M. researchers, as described below. Researchers who benefit from four years of grant will have an overall four years to present their Ph.D. at the Institute and a fifth year during which the defence may take place.

2.4.2. THE ONE-YEAR LL.M. DEGREE (*Legum Magister*)

Since 1984 the EUI has offered law students a one-year programme leading to the degree of *Master in Comparative, European and International Legal Studies (LL.M.)* (the level of a British LL.M., for instance). Researchers, counselled and supervised by a professor in the Department, participate in departmental seminars and courses along with the Ph.D. students, and they write a dissertation which is the basis for the conferment of the degree. The dissertation is normally submitted at the end of the course. Admission and residence requirements are the same for LL.M. students as for those intending to take the doctorate.

2.5. FIRST-YEAR CURRICULUM

The Law Department's teaching programme includes the following: advanced courses, which have a broader scope, seminar courses, which deal with more specific subjects, intensive legal methodology courses, summer courses and workshops. Advanced courses in International Law, European Law and Comparative Law are offered every year.

Participation in each seminar will be limited to 30 EUI researchers on a first-come-first-served basis. Visiting students, fellows and US exchange students will be counted separately. Enrolment will only be accepted during the two weeks prior to the final deadline (14-29 September and 16 November-1 December), when lists for enrolment will be placed on the departmental notice-board at the Villa Schifanoia. All seminar materials will be made available online, so no one should register for seminars only to receive reading materials.

The Third Term is dedicated essentially to the writing of the LL.M. dissertation or, for doctoral students, the writing of a substantial paper relating to their doctoral project ("May paper") on the basis of which admission to the second year is decided.

2.6. COMPULSORY REQUIREMENTS

Advanced courses and seminars seek to reflect the Department's commitment and profile: European and international in its character, comparative in its approach and contextual in its methods. These three dimensions are represented both in the general programme and within the individual seminars. They have, however, not been codified in a mandatory curriculum. Researchers hence enjoy freedom in the planning of their studies, subject to the agreement of their supervisors (as specified under Supervision (see point 2.3.)).

2.6.1. INTENSIVE "BUZZ" WEEKS

There will be three intensive "buzz" weeks during which special activities will be organised for all students. The first (28 September-1 October) will be an Integration Week focussed on legal methodology courses and including an Inaugural Lecture, while the second and third buzz weeks (25-29 January and 22-26 March 2010) will each include elements of legal methodology, an intensive course taught by an external faculty, and workshops.

2.6.2. CREDITS FOR FIRST-YEAR RESEARCHERS

From September 2009 on, the Department will introduce a new credit system for first-year researchers: all Ph.D. and LL.M. researchers will have to earn a total of 60 credits in the first year in the following way:

36 credits must be obtained by successfully participating in:

- Methodology component (PhD and LL.M): 6 credits
- February Term Paper (PhD and LL.M): 6 credits
- May Research Paper (PhD): 24 credits
- or LL.M thesis (deadline 1 October): 24 credits

The remaining credits may be obtained as follows:

- Research seminars/Advanced courses (normally 10 sessions each): 6 credits per seminar
- Short research seminars (4 sessions): 3 credits per seminar
- Intensive courses by external faculty (2 days): 3 credits each
- Academy of European Law course (2 weeks each): 3 credits per course
- One-day workshop during a buzz week: 1 credit per workshop
- Participation in 1-2 day workshops/conferences at the EUI: 1 credit per workshop

Participation in at least one Advanced Course in the first year remains compulsory. The possibility of attending a seminar in another department and obtaining credits in that seminar exists, provided the Law Department is in agreement. A written request must be made to the Director of Graduate Studies with the written approval of the supervisor. If the Department agrees to such a request, then the relevant professor in the other department should be asked in writing by the Director of Graduate Studies to certify, once the seminar has finished, that the student has attended all sessions of that seminar. The agreement of the relevant professor to these conditions is a

prerequisite for departmental agreement to follow an outside seminar. The credits obtained will be those in force in the Law Department.

2.6.3. COURSE ATTENDANCE

In order to obtain credits, researchers are required to attend all sessions of each course or seminar and they are responsible for ensuring that they register their presence on the lists circulated at each session. Should there be a legitimate reason (e.g. illness) for not attending a specific session, the researcher must inform the seminar organizer's secretary and Siobhán Gallagher immediately in writing. All researchers must have read the seminar materials prepared for each session prior to attending class and they are expected to participate actively during seminars.

2.6.4. WRITING REQUIREMENTS

All PhD researchers will be required to:

- i. Complete by 15 December 2009 an outline of the thesis including both a broad picture of the thesis and a more detailed structure of the May Paper, both to be submitted to the supervisor and a second reader;
- ii. Submit by 26 February 2010 a thesis-related paper (of approx. 8,000 words) to the supervisor;
- iii. Present by 20 May 2010 a May Paper, consisting of the outline of the thesis and one chapter of the thesis (max. of 14,000 words), both to be submitted to the supervisor and the second reader.

All LLM researchers will be required to:

- i. Complete by 15 December 2009 an outline of the thesis to be submitted to both the supervisor and a second reader.
- ii. Submit by 26 February 2010 a thesis-related paper (of approx. 8,000 words) to the supervisor;
- iii. Submit the LLM thesis to the supervisor by 1 October of the year following admission (see point 2.8., below)

2.6.5. DEFENCE OF THE MAY PAPER BEFORE A PANEL OF 3 PROFESSORS (Ph.D. students only)

All PhD researchers will be required to defend their May Papers before a panel of 3 professors each for up to 30 minutes. All defences will take place during the week of 7-11 June 2010. After the defence, the panel will propose a motivated decision to the Department which may consist of either:

- a. Admission to the second year with a written report by the supervisor, to include the input of the other members of the panel on how best to proceed;
- b. Passage from the PhD to the LLM-only programme with a report written by the supervisor explaining the decision and giving concrete advice on how to turn the May Paper into a successful LLM thesis by 1 October;
- c. Under exceptional circumstances and if convinced of the quality of the candidate and the potentiality of the project, the panel may decide to propose deferral of the decision on admission to the second year until September.

Decisions must be communicated to the researchers in writing at least one week before the Admissions Committee meeting (i.e. decision by 17 June 2010 for the 24 June Admissions Committee).

Researchers admitted to the second year of the Ph.D. programme will receive the degree of *Master in Comparative, European and International Legal Studies (LL.M.)*.

2.6.6. LANGUAGE REQUIREMENTS

In order to satisfy the Department's language requirements (see Personal Research Plan at point 2.3. above), all LL.M. and Ph.D. researchers must decide, by 5 October 2009, whether they want to either:

- i. write their May Paper or their LL.M. dissertation in a non-mother-tongue language, or
- ii. submit a review of the literature in their field published in non-mother-tongue languages, or submit a review of a book published in a non-mother-tongue language. Provided the supervisor agrees, the review may be written in the researcher's mother-tongue. The choice should be determined with the supervisor and the deadline for submission will be **29 January 2010**.

All papers written in a non-mother-tongue language must specify whether and to what extent they have been submitted to the Language Centre for correction. Language correction is not compulsory.

2.6.7. EXCHANGE STUDENTS' COMPULSORY REQUIREMENTS

Each of the universities participating in an exchange with the EUI Law Department has different requirements for its own students. The minimum requirements for each university are subject to change and should be checked directly with the home university. Confirmation of the requirements should be sent to Siobhán Gallagher by **29 September 2009** at the very latest.

N.B. All papers/exams etc. will be marked on a **Pass / Fail basis only**. There will be no grading, unless this is specifically requested by the home university by 29 September.

2.7. TRANSFER BETWEEN PH.D. AND LL.M. PROGRAMMES

In principle, it is expected that LL.M. researchers will complete the programme to which they were admitted. Since the introduction of the LL.M. programme in 1984, the Law Department has regularly encouraged excellent LL.M. researchers to request their transfer to the second year of the doctoral programme. Such a change from LL.M. to Ph.D. will only be considered if very strongly supported by the supervisor. Admission to the doctoral programme is subject to the same conditions that apply to other candidates.

Requests for transfer must be communicated in writing to the Head of Department by **Monday, 11 January 2010**, at the latest. Requests should be accompanied by a revised research proposal, which will form the basis of the researcher's work if

admitted to the Ph.D. programme. It is expected that the researcher will have been in close consultation with his/her supervisor in the period prior to the presentation of the transfer request. The regular EUI application form (presented by all Ph.D. and LL.M. applicants to the Institute) must be completed online by the final EUI deadline for applications (31 January 2010) in the normal way. The only difference in the procedure is that a researcher requesting to transfer must submit two reference letters from EUI professors, not from external professors.

Applicants who wish to change to the Ph.D. programme will have to be considered for a (second-year) national grant along with the new candidates from their own country who are applying for the first year of the doctoral programme for the following year. Their eligibility for admission with grant to the second year of the Ph.D. programme can therefore only be finally approved when the results of the student interviews are decided by the Admissions Committee in mid-April. Their *actual* admission will of course depend upon successful completion of the first-year programme, i.e. May Paper, etc. which will be judged on the same basis as researchers already in the Ph.D. programme. If the May Paper is satisfactory, admission to the second year automatically follows and the researcher will be awarded the degree of *Master in Comparative, European and International Legal Studies (LL.M.)*.

In **truly exceptional circumstances** a request to change from Ph.D. to LL.M. may still be made in the first year up to 14 June 2010, so that any grant thus freed for the following year could be re-allocated to an incoming student by the Admissions Committee. In order to change programme, a reasoned request must be made in writing to the Head of Department with the written approval of the supervisor. A decision will be taken by the whole Department at a departmental meeting. If the request to change to the LL.M. programme is approved by the Department, the researcher will have to present the final text of the LL.M. by 1 October of the year following admission (i.e. thirteen months in total) in the same way as all researchers preparing an LL.M. thesis. There will be no postponement of this deadline due to the change to the LL.M. programme.

2.8. SUBMISSION OF THE LL.M. THESIS

2.8.1. DEADLINE FOR SUBMISSION

The deadline for submission of the final version of the LL.M. dissertation is normally **1 October** of the year following admission to the Institute. No dissertation submitted after this deadline will be accepted. A later revision of the text will only be allowed if specifically required by the examining committee.

2.8.2. AWARDING OF THE LL.M.

Each dissertation will be examined by a committee of three consisting of the supervisor and two readers appointed by the Department. The deadline for the final decision of the committee is **1 December**. The LL.M. is ungraded.

The committee may recommend either:

- a. That the dissertation be accepted as satisfying the requirements of the LL.M.:
- b. That the dissertation be rejected as not satisfying the requirements of the LL.M.; or
- c. That the dissertation be revised or rewritten, and submitted for re-examination.

Positive recommendations are confirmed by the Head of Department and forwarded to the Academic Service. In respect of negative recommendations, or recommendations to revise and resubmit, decisions are taken by the Department at its first meeting following the submission of the examining committee's report. If the Department recommends revision and resubmission, then the dissertation must be resubmitted by six months at the latest after the Department's decision is taken. If the Department makes a negative decision, an appeal may be heard and examined on procedural grounds, manifest arbitrariness or on any other relevant non-academic matter.

2.8.3. LANGUAGE OF THE THESIS

The LL.M. dissertation may be written in any language agreed with the supervisor. If language correction of the dissertation is required, please contact the supervisor's secretary for precise details. LL.M. dissertations which have been submitted for language correction should specify this on the first page.

2.8.4. PRACTICAL INFORMATION ON SUBMITTING THE THESIS

The final version of the LL.M. thesis should be submitted to the supervisor's secretary as one single PDF file. The thesis will be sent to the EUI print shop where **10 bound copies** of the thesis will be made (4 for the readers, 2 for the Library and 4 for the researchers). Any copies not required by the readers will be sent to the researcher after the degree has been awarded.

All LL.M. dissertations must fulfil the following requirements: The length of the paper should be of approximately 30,000 words, including footnotes, unless specified otherwise by the supervisor. It should be presented in a perfect academic format. The EUI template for the cover page is available at <http://www.eui.eu/DepartmentsAndCentres/Law/RulesForms/LLM.aspx>). Its use is compulsory.

Full EUI computing rights and access to the Library will continue until the beginning of October. Please remember to leave your address and telephone/fax/e-mail details with the supervisor's secretary and the Alumni Officer, before you leave the Institute.

3. SECOND YEAR

Second-year researchers must present their research twice during the year in the framework of one of the advanced courses or seminars organized by the Law Department or, with the approval of the supervisor, in the working groups convened by EUI researchers, provided the supervisor attends the presentation. If needed, the Department will set up special workshops during the third term to accommodate those researchers who cannot insert their presentation as outlined above.

Second-year researchers must also attend at least one advanced course or seminar in both the first and second terms, either in the Law Department or in another department. In exceptional circumstances, a researcher may choose to attend two seminars in the same term if the seminars that are best suited to the development of the researcher's thesis fall within the same term. In this case, the researcher must submit the reasons and written approval of the supervisor in writing to the Director of Graduate Studies with a copy to Siobhán Gallagher before **30 October 2009**.

Second-year researchers who participate in a *stage* or who for any other reason have a suspension of grant during their second year, and who for that reason cannot attend a seminar in each term, will have to comply with the remainder of their obligations during the third year. Residence requirements and guidelines for leaves of absence apply also to second-year researchers (see point 1.4. above).

By **23 October 2009**, all second-year Law researchers must have discussed with their supervisors a Revised Personal Research Plan to include a projection of the work required to be able to comply with the ¼ thesis requirement (see below). The Plan can be found at <http://www.eui.eu/DepartmentsAndCentres/Law/RulesForms/SecondYearRequirements.aspx>) and, once approved by the supervisor, it should be given to Siobhán Gallagher.

By **19 April 2010**, all second-year researchers must show that they have completed at least one-quarter of the preparatory work required for the Ph.D. thesis. One hard copy of the ¼ work must be given to the supervisor's secretary (and a copy sent to lawadmin@eui.eu). On the basis of this work, the supervisor will be required to report to the Department on the progress made, stating whether admission to the third year is recommended or not. The Department will inform the Admissions Committee at its June meeting of the recommendations, which may be positive, postponed to September, or negative. Postponement of recommendation of passage to the third year may be made where doubts are raised at the level of assessment of the second-year activities and the Department will clearly state in its recommendation what additional work is required. This work is to be submitted by a date in September to be determined by the Department. If a negative decision is taken, an appeal may be heard and examined only on procedural grounds, manifest arbitrariness or on any other relevant non-academic matter.

4. THIRD YEAR

Third-year researchers must present their research twice in the framework of one of the advanced courses or seminars organized by the Law Department, or, with the approval of the supervisor, in a working group, provided the supervisor attends the presentation. If needed, the Department will set up special workshops during the third term to accommodate those researchers who cannot insert their presentation in the framework of one of the courses or seminars during the first and second terms. They are also encouraged to attend at least one seminar in each term, either in the Law Department or in another Department. No papers are required. Residence requirements and guidelines for leaves of absence apply to third-year researchers, whether they attend seminars or not (see point 1.4.).

By **23 October 2009**, third-year researchers are required to present a Progress Report and Ph.D. work plan to their supervisors in which they will report on their progress towards two-thirds completion of the thesis.

4.1. ADMISSION TO THE FOURTH YEAR AND FOURTH-YEAR GRANT

see <http://www.eui.eu/Documents/ServicesAdmin/DeanOfStudies/EUI-RulesRegsNovember2008.pdf>, article 3.1.6.

Researchers entering their fourth year are eligible for a full EUI completion grant of 12 months. This grant is payable in instalments and is subject to conditions which link payment to completion by the end of the fourth year. The full completion grant will be paid to all researchers who submit their first *and* final draft by the 48th month of registration.

Researchers who are awarded, and then decide to take up, the completion grant are required to sign a written commitment that they will submit the first and final draft of their thesis within 48 months of registration. In this article, first full draft is defined as the first submission of the researcher, comprehending drafts of all elements and papers or chapters of the thesis; final draft is defined as the text which the researcher submits as being defensible to the supervisor.

4.2. TWO-THIRDS REQUIREMENT AND FIRST INSTALMENT OF GRANT

The first instalment of six months is payable on the basis of evidence that the researcher has completed at least two thirds of the thesis at the very latest by the beginning of the fourth year. By the end of the 33rd month of registration, i.e. by **1 June 2010**, researchers should present evidence to the Department that they have made the requisite progress. In cases where this cannot be clearly demonstrated at that stage, the researcher may resubmit evidence of progress by the end of the 36th month of registration, i.e. **by 30 August 2010**. In either case, the final decision on approval of the first instalment of payment is made by the Admissions Committee.

The right to submit the thesis is dependent upon student status. Student status lasts 5 years from the date of first registration in the doctoral programme. No extension of student status beyond the normal five-year limit, and therefore no submission of a

thesis after five years, is allowed except on the basis of extenuating circumstances of a personal or professional nature which have interfered with a record of good progress and have caused unforeseen delay.

By **1 June 2010**, two hard copies of the 2/3 work must be given to the supervisor's secretary and an electronic copy must be sent to lawadmin@eui.eu.

By **1 June 2010**, all third-year researchers must inform Alison Tuck by e-mail whether they wish to receive the fourth-year grant or not (some may be taking up jobs, some may be requesting other funding, e.g. Portuguese grants, etc.), even if they will have a delayed 2/3 submission date.

5. FOURTH YEAR

5.1. FIRST FULL DRAFT AND SECOND INSTALMENT OF SIX MONTHS GRANT

The second instalment, which is for six months, is payable only once **the first full draft of the thesis** has been submitted, and the deadline for this is **29 January 2010**. One copy of the first full draft should be given to the supervisor's secretary - or if given directly to the supervisor, please inform the secretary that you have done so.

Before payment can be approved, the relevant supervisor must certify in a memorandum to the Admissions Committee (a) that a full first draft of the thesis has been submitted and (b) the expectation that the final draft of the thesis will be submitted within 48 months of registration.

The purpose of the second instalment is to supply researchers with continuing financial support while preparing the final version of the thesis and making arrangements for the defence. Even where the defence takes place within the four year period, the researcher will continue to qualify for the remainder of the fourth-year grant in order to facilitate the transition from researcher to employment status.

Eligibility for the second instalment of the fourth-year grant ceases after 48 months of registration. Where a researcher has not completed a full first draft when the first instalment of fourth-year grant comes to an end (i.e. after 42 months of registration), and so is not yet eligible for the second instalment at that stage, the researcher may nevertheless qualify for the second instalment of the fourth-year grant provided that both the full first draft is submitted and the supervisor certifies that the final draft will be submitted before the expiry of 48 months.

5.2. ASSESSMENT OF DRAFTS

The supervisor is asked to give a qualitative analytical assessment of both the first and the final draft within a month after their submission. More specifically, in assessing the final draft, the supervisor is asked to decide from amongst the following options:

- to accept the draft as a thesis, ready for linguistic correction and defence;

- to accept the draft as a thesis for defence after minor changes;
- to accept the draft as a thesis for defence after major changes feasible within 6 months;
- not to accept the draft as a thesis for defence.

5.3. NO LEAVE OF ABSENCE WITHOUT GRANT DURING 4th YEAR

No *leave of absence without grant (with suspension of registration period and retention of grant entitlement)* will be granted during the period of entitlement to and receipt of the fourth-year completion grant, except where the leave does not impede in any way the submission of the final draft of the thesis within 48 months of registration.

6. Ph.D. THESES

Please note that a doctorate which has been prepared in the EUI's Ph.D. programme **must be defended at the EUI**. It may **not** be proposed for defence at any other university.

6.1. TIMING OF DEFENCE

The public defence of the thesis should take place **within 9 months** of the submission of the final draft (see point 3.18 of *Academic rules and regulations for the doctoral programme last amended by Academic Council Decision N° 3/2008 of 19 November 2008*). Only upon the specific acceptance of a request supported by the supervisor and the Department and approved by the Admissions Committee, may a defence be organized at a later date.

6.2. SUBMITTING THE FINAL THESIS AND 300-WORD SUMMARY

Should the thesis supervisor conclude that the doctoral work and thesis progress justifies the setting up of a jury, s/he shall – after consulting the research student and any co-supervisor – propose the precise composition of the Examining Board for recommendation by the Department to the Executive Committee for its establishment. The research student may bring observations on the composition of the Examining Board to the attention of the Department.

The student shall submit the final version of the thesis, together with a 300-word summary, to the supervisor's secretary. The supervisor and any co-supervisor shall each draw up a reasoned report and send it to the student and to the Head of Department concerned within one month.

Should either the thesis supervisor's or any co-supervisor's reasoned report conclude that the submitted manuscript is after all not ready for defence, the report shall state the nature of important changes the student ought to make. The research student may nevertheless express in writing the wish to defend the thesis as it stands.

Every other Examining Board member shall draft a short report and send it to the Department within two months of the manuscript's being sent to Examining Board

members. This report should state whether the thesis is deemed defensible as it stands, or what changes would be needed to make it suitable for defence. The thesis supervisor shall inform the research student of these reports; the latter shall decide, in full awareness of the facts, whether to defend the thesis as it stands or instead to make changes; in the latter case, these changes shall be brought to the notice of the Examining Board members.

6.3. EXAMINING BOARD

The thesis shall be defended before an Examining Board made up of four members. The candidate's thesis supervisor shall be a member. The co-supervisor, if any, may also be appointed as a member of the Examining Board.

The Examining Board shall include at least one current full-time Institute professor and one academic from outside the Institute who has never been on its full-time or part-time professorial staff.

The Board is normally made up of two internal members and two external members. All four members should not be nationals of the same state or be currently employed in the same state.

Internal Members

Internal members are deemed to include (i) current full-time professors of the EUI, (ii) former full-time professors of the EUI, provided their permanent contract has overlapped with the period in which the candidate was in receipt of grant to the extent of at least six months, (iii) current or former part-time professors of the EUI, provided that their period of contract (which need not be consecutive) has overlapped with the period in which the candidate was in receipt of grant to the extent of at least six months.

External members

External members cannot include persons who are eligible as internal members as set out above. Former full-time or part-time professors are eligible as external members provided (i) they are not eligible as internal members, and (ii) their most recent contract ended at least three years before the date on which the jury is scheduled to meet. If appointed to the Examining Board, an external co-supervisor shall be treated as an external member. At least one of the external members must be a current university professor. No more than one external member may be appointed from the same institution. All external members must be of high academic standing in the area with which the thesis is concerned.

No more than two internal members may be appointed to the Board of Examiners. In exceptional circumstances, however, three external members and only one internal member may be appointed. This is permissible only where the spread of expertise necessary for the satisfactory examination of a thesis cannot otherwise be provided.”

Please note that the composition of the Examining Board is proposed by the supervisor to the Head of Department, and that the final decision is taken by the Executive Committee of the Academic Council. Researchers are therefore not allowed to contact any outside professor concerning the possibility of their becoming a member of the Examining Board. Such contact should only be made by the supervisor, the supervisor's secretary or the Head of Department.

6.4. PRACTICAL INFORMATION ON THE THESIS

The thesis should normally be approximately 75,000-100,000 words in length. For the formatting please see <http://www.eui.eu/DepartmentsAndCentres/Law/RulesForms/GuidelinesForThesisPreparation.aspx>. EUI templates must be used for the internal cover page and the external cover page. They can be found on the same webpage mentioned above.

The thesis may be written in any language that is known to the supervisor and another professor of the Department, with the approval by the supervisor, and it need not be in the same language as the first-year May Paper or any intermediary draft. If language correction of the thesis is required, the Language Centre should receive the final thesis in good time as they will need one month for language correction. (see <http://www.eui.eu/ServicesAndAdmin/LanguageCentre/CorrectionService/ThesisCorrection.aspx> and point 7. below). Contact the Language Centre for further details. Theses that have been submitted for language correction should specify this on the first page of the final draft.

In order to comply both with the Institute's Rules and Regulations for the Doctoral Programme, the Law Department adopted the following guidelines on 9 May 2007:

- a. The researchers must give the final version of their theses to the secretaries four months before the provisional date set for the defence.
- b. The secretaries will then prepare four working copies of the thesis to be sent to the jury members, together with an e-mail specifying the precise date by which the jury members are expected to send in their reports.
- c. The supervisor and any external co-supervisor must send in their reasoned reports no later than one month after receiving their working copies of the thesis. These reports (of the supervisors and external co-supervisor) should immediately be made available to the candidate and to all other members of the jury.
- d. The other jury members must send in their reasoned reports no later than one month before the provisional date set for the defence. No exceptions are permitted to this rule. Accordingly, if any reports are received later than one month before the provisional defence date, the defence will have to be postponed until a later date at least one month after the receipt of the final report.
- e. Upon receiving all the reports, and provided each report concludes that the thesis is ready for defence as it stands, the secretaries will send the final version of the thesis to the print-shop where it will be printed in 16 copies.
- f. Should any of the jury members request in their reports that minor changes be made to the thesis before the defence, the researcher may introduce the changes into the text provided the supervisor is in agreement. In such cases, a detailed note

outlining the changes made will be provided by the candidate and made available via the supervisor to all jury members before the defence. If there is time to introduce the changes and then to have the copies printed and sent to the jury members before the defence, this should be done. Otherwise, the bound copies will be handed to the jury members on the day of the defence. The text outlining the changes must be sent or given to the jury members together with the bound copies. Should any of the jury members request in their reports that major changes be made to the thesis before the defence, the researcher and supervisor must consider whether this is feasible or whether the date of the defence should be postponed in order to permit the changes to be made.

g. Of the 16 printed and bound copies, four are sent to the jury members, two are sent directly to the Library by the print-shop, one will be sent after the defence to the European Court of Justice if requested by the researcher, five copies will stay with the secretaries just in case, and the rest are for the candidate. After the defence, the new Doctor will receive the remaining copies.

Of the two copies sent to the Library, one may be consulted inside the Library by members of the Institute for two weeks prior to the defence. Once the degree has been awarded, one copy of the thesis will be bound and kept for archival purposes and the other will be made available to the general public. New Doctors are encouraged to publish their theses electronically in the EUI repository (CADMUS) by submitting the full text of the thesis to: CADMUS@eui.eu. Once a thesis has been published, the Department will be pleased to add the relevant publication details to its web page at <http://www.eui.eu/DepartmentsAndCentres/Law/Publications/PublishedPhDTheses.aspx>.

6.5. THESIS PUBLICATION

The Academic rules and regulations for the doctoral programme last amended by Academic Council Decision N° 3/2008 of 19 November 2008 state article 5.10. "In accordance with Convention Article 14 (1), theses approved by an Examining Board must be published.

Theses can be published on paper and/or in electronic format. Theses can be published electronically by depositing the full text of the successfully defended Ph.D. or LL.M thesis, either in the version that was defended or in a revised version, in the EUI repository CADMUS in the collection 'EUI theses' as a protected PDF file. Research students are encouraged to use this option. The copyright remains with the author. The Agreement to publish the thesis should be signed."

6.6. SUBSIDIES FOR PUBLICATION

See [Guide to EUI Publications and Web: Policy and Procedures](#), pp. 10-11, available at <http://www.eui.eu/Documents/Research/EUIPublications/PublicationsGuide.pdf>

The author is encouraged to seek commercial publication of the thesis as a book, in which case, s/he will have to find a publisher. Should the publisher require a subsidy for the editing, translating or indexing of the manuscript, or for the reproduction of photos, but not for printing costs, the author may request a subsidy from the Law

Department only for the purpose of editing, indexing or translation. The request should be made to the Head of Department and include the terms of publication offered by the publisher. Decisions on the allocation of subsidies will be taken by the Department twice a year in June and in December.

6.6.1. FORMAL REQUIREMENTS FOR REQUESTING A SUBSIDY

If the subsidy request relates to the commercial publication of an EUI thesis, a written request must be sent to the department within 2 years after the thesis defence. The dossier should contain the following information:

- a. Documentation provided by the department: the thesis manuscript evaluation form, filled out by the President of the jury at the time of the thesis defence.
- b. Documentation provided by the applicant
 - i. A concrete proposal (can be already a contract) from a renowned publisher in the field to publish the manuscript, including any available review on the manuscript, the estimated costs, and time-frame for publication.
 - ii. Justification for the subsidy request (a letter explaining the need for a subsidy).

6.6.2. PROCEDURES FOR AWARDING THE SUBSIDY

- a. Once the book has been published, an original invoice specifying the work done (i.e. editing, indexing, etc.) should be sent to the department;
- b. Two copies of the published book should be sent to the Department, who subsequently sends them to the Library secretariat;
- c. The following need to be inserted into the published book:
 - Logo and full name of the EUI
 - Sentence mentioning the EUI subsidy (e.g. “This book has been published with a financial subsidy from the European University Institute”; “ouvrage publié avec le concours de l’Institut Universitaire Européen”);
 - Sentence stating that the publication is based on an EUI thesis defended at the EUI, department and year (e.g. “This publication is based on, or is a revised version of, an EUI Ph.D. / LL.M. thesis”)

The subsidy will only be paid if the above-mentioned requirements have been fulfilled. Requests related to delays in publication and any change in the title of the publication must be submitted to the department.

7. LANGUAGE CENTRE. COURSES AND CORRECTION SERVICE

7.1. COURSES

<http://www.eui.eu/ServicesAndAdmin/LanguageCentre/LanguageCourses/>

- a. Enrolment and attendance: Researchers who enrol for/are asked to follow a language course must attend regularly. Certificates of attendance and/or progress reports are available on request at the end of the course.
- b. Certificates: Courses to prepare for official exams in Italian are provided (CELI). If there is sufficient demand, it is also possible to organize courses for official exams in German and Spanish (e.g. Goethe and Cervantes).

A paper or thesis may be submitted in any of the official languages of the EUI (i.e. the official languages of EU member states) provided the readers who will have to assess the work have accepted the use of that language and are able to read it. Researchers may request that papers written in English, French, German, Italian, Portuguese or Spanish be corrected, if the language is not their mother tongue. For full information, also for other languages, please consult the Language Centre.

7.2. CORRECTION SERVICE

<http://www.eui.eu/ServicesAndAdmin/LanguageCentre/CorrectionService/>

Free internal corrections are strictly conditional on course or tutorial attendance during the first two years where this has been requested by the Language Centre for the languages involved. Those researchers who have been exempted are not required to follow courses. In order to monitor continuously the researchers' writing ability, even those researchers who have been deemed fluent enough not to be required to follow language courses are invited to submit a sample of their writings to the Language Centre. Supervisors who regard their supervisees' writing ability as insufficient will invite them to have their papers corrected by the Language Centre.

Researchers who intend to write their thesis in a language other than their own, particularly for French, German, Italian, and Spanish, must notify the Language Centre in good time. If researchers change their mind about the language in which they intend to write their thesis, the Language Centre must be notified. For those who write in French, see for special online support: <http://www.uniovi.es/ecrire>

Whenever papers other written work have been submitted for language correction, this must be specified on the title page of the relevant work.

8. LIBRARY

Dr. Machteld Nijsten (machteld.nijsten@eui.eu) is the Law Information Specialist. The Library provides full information on all its resources on the Library webpage <http://www.eui.eu/Research/Library/Index.aspx> including the possibility for researchers to use databases, to request the purchase of books and to order materials by Interlibrary loan.

During the months of September-November introductory courses to the Library, specialized courses on the use of specific electronic resources and library documentation courses will be organized. For information on the law collection and the legal databases, journals, Internet resources and instruction courses, please consult the **Law Reference Desk** at <http://www.eui.eu/Research/Library/ResearchGuides/Law/>

9. RESEARCH ASSISTANTSHIPS AND SMALL JOBS

<http://www.eui.eu/Documents/ServicesAdmin/DeanOfStudies/EUI-RulesRegsNovember2008.pdf>

Within the framework of the Institute, research students can take up either small or large research assistantships. Small jobs paid on an hourly basis up to 150 hours per academic year may be carried out by all categories of research students, including first and second-year students. Large research assistantships may be carried out by

(a) researchers who are in their third year of registration, (b) fourth-year researchers who have submitted the final draft of their thesis, and (c) fourth- and fifth-year researchers who are not in receipt of an EUI grant.

More specifically the rules concerning possible intermission on grounds of research assistantships are as follows.

With intermission:

- Where national grant-awarding authorities allow, research students may be offered research assistant tasks within the Institute amounting to more than ¼ full-time employment and entailing intermission of registration only in their third year of Ph.D. studies, i.e. between their 24th and 36th month of registration. More specifically, appointment to such positions involves interruption of grant and retention of full grant eligibility on return as well as suspension of the registration period.
- Research students, who have been registered for more than 36 and less than 60 months and who are not in receipt of an EUI grant, may be offered and take up research assistantships within the Institute amounting to more than ¼ full-time employment. Intermission is possible, but not a requirement.

Without intermission:

- Small jobs paid on an hourly basis of up to 150 hours per academic year may be carried out by all categories of research students, including first- and second-year students, without interruption of grant or suspension of registration. Academic collaboration contracts and part-time research assistantships of up to 7/30 full time employment may be carried out by researchers who have entered their third year of registration.
- On the condition that the final draft of the thesis has been submitted and has been accepted for defence, fourth-year research students, i.e. those who have been registered for more than 36 and less than 48 months, may be offered and take up research assistant tasks within the Institute amounting to more than ¼ full-time employment.

Maximum period of intermission: In the case of research assistant tasks involving interruption of grant and suspension of registration, the permission of the Admissions Committee must be sought in advance. The total period of such intermission permitted to a researcher prior to the submission of his or her thesis shall not exceed **12 months**. Researchers should take into account the stipulations of 4.3. and 4.7 concerning the overall maximum period for intermissions, which is normally – intermissions due to parental leave and compulsory military service excluded – **18 months**.

N.B. If you are interested in any other small jobs offered from time to time by the various services of the Institute, please contact Michela Menicagli of the Academic Service at michela.menicagli@eui.eu.

10. EXCHANGE PROGRAMMES, TRAINEESHIPS, STAGES

Please note the departmental rule that not more than one prolonged departure within a twelve month period will be permitted and accumulation of absences will be discouraged. This includes US exchange programmes and traineeships/stages.

10.1. TRAINEESHIPS/STAGES

There are a number of short-term traineeships, or *stages* available to second or third-year researchers. For details see the Academic Service's *Guide to Traineeships, Stages, Exchange Programmes* or <http://www.eui.eu/ServicesAndAdmin/AcademicService/Doctorate/Traineeships.aspx>

10.2. EXCHANGE PROGRAMMES

For all EUI-wide exchange programmes refer to <http://www.eui.eu/ServicesAndAdmin/AcademicService/Doctorate/ExchangeProgrammes/Index.aspx>

10.3. U.S. EXCHANGE PROGRAMMES

The Law Department participates in a number of EUI Exchange Programmes with universities in the United States of America whereby EUI researchers may attend courses for one semester at one of our partner institutions. For some of these exchanges, extra funding from the Institute or from the Department is available, while for others there will be no extra funding. The arrangement with all universities is reciprocal and involves no tuition fees being charged.

Funded programmes at the EUI level include (one student per department and per university):

New York University
University of California at Berkeley
University of Wisconsin

Funded programmes at the Law Department level include (one student per university):

Columbia Law School in New
University of Michigan Law School

Non-funded programmes at the Law Department level include (one student per university):

Fordham Law School
Stanford Law School
University of Texas at Austin

10.3.1. DEPARTMENTAL SELECTION PROCEDURE FOR U.S. EXCHANGES

Due to the large number of candidates for US exchanges, the Law Department has set up the following procedure for the selection of researchers who wish to benefit from these opportunities.

10.3.1.1. INTRODUCTORY MEETING

An introductory meeting will be held on Wednesday, **7 October 2009** at 14.30 by Prof. Heike Schweitzer, the professor in charge of US exchanges. All researchers interested in applying to one of the US exchange programmes are strongly urged to attend this meeting.

10.3.1.2. ELIGIBILITY

Both application and selection take place in the academic year preceding the planned departure. All first and second year researchers from the Ph.D programme are eligible to apply.

10.3.1.3. APPLICATION PROCEDURE

The candidate should submit the following documents to the Departmental Assistant:

a. A 3000 word essay stating: the **nature** of their research, the **relevance** of the exchange for their research, the **suitability of the** selected university in this respect (specifying all relevant aspects of this institution, i.e. the persons they would like to work with, the resources available, the courses or conferences they would like to attend, etc.) and explaining how the envisaged stay fits into the **timing** of their research.

Researchers may apply to **one or more universities** that they consider as being suited to their research topic but, in the case of applying to more than one, they must **clearly** state their order of preference. It will be assumed that applicants are prepared to go to all and any of the universities mentioned in their application.

b. A *curriculum vitae*, which must include grades of all the major qualifying exams.

c. A letter of support written by the researcher's supervisor, in a format that can be readily presented to the U.S. university.

10.1.3.4. DEADLINE

Applications should be submitted by Tuesday, **1 December 2009**. Please note that this deadline is much earlier than the general EUI deadline so that the Law Department has time to consider the essays. It should also be noted that those researchers selected by the Department must also comply with the Institute-wide deadlines for submitting applications in a different format and with shorter summaries to Academic Service for consideration by the EUI Admissions Committee (deadline 15 January 2010).

10.1.3.5. APPLICATIONS FOR FUNDED AND NON-FUNDED EXCHANGE PROGRAMMES

Students can apply for both funded and non-funded programmes at the same time. The deadline for both is the same. The selection committee will consider first the applications for the funded programmes, without being informed of applications for the non-funded programmes. Only once the final ranking of the funded applications has taken place, will the list of applications for non-funded programmes be disclosed and considered by the selection committee. This is to address any concerns that applications for one of the non-funded programmes might negatively affect the chances to be selected for one of the funded programmes.

10.3.1.6. RANKING

Applications will be evaluated and ranked by a committee composed of three professors – normally the Director of Graduate Studies, the professor in charge of US exchanges and one Faculty member who does not supervise any of the candidates - plus a student representative.

In the evaluation and ranking of the applications the committee will take into account the following criteria:

- a. relevance to research project,
- b. overall merit of the application,
- c. stated preference of US university.

Second-year applicants will generally be given preference over first years.

10.3.1.7. FINAL SELECTION AND RANKING

On the basis of the Selection Committee's recommendations, the Law Department will make the final selection and ranking that is to be sent to the EUI Admissions Committee. This list must reflect the EUI rule that each student can only apply for one US exchange programme. Equally, researchers can only be nominated as a reserve candidate for one funded exchange.

Those students who are selected or ranked at the departmental level, and who are to be recommended to the EUI Admissions Committee, will have to submit a full application to the Academic Service in compliance with their procedure and deadlines.

Once applications have been approved by the Admissions Committee, researchers are expected to be fully committed to the exchange and withdrawals will only be accepted in exceptional circumstances.

10.3.1.8. TRANSPARENCY

In the interests of transparency, the final selection list including reserve candidates will be disclosed to all applicants. Those not selected will not have their names circulated.

11. MISSIONS

The Department has a limited allocation to support research student missions. Not all requests can be funded and at present the maximum sum which may be granted to a Law researcher in any calendar year (January-December) is €800. This money may be requested for use for one or more missions, but the limit may not be exceeded. Funds are allocated only to those for whose thesis the mission is deemed indispensable.

11.1. GUIDELINES ON THE ALLOCATION OF MISSION FUNDS

Due to financial limits and to ensure a fair allocation of funds, the following guidelines should help researchers and their supervisors to assess the appropriateness of a particular request. First, second, third and fourth year researchers (including LL.M. researchers) are eligible to apply for mission funding subject to the criteria set out below, but the Department does not fund missions for students who are on leaves of absence, stages or exchange programmes, or for those who have already submitted the final thesis.

a. The objective of all missions is to enable researchers to pursue research which is directly related to their doctoral/master's thesis. In this regard, it is important that the mission should provide an additional and specific intellectual benefit to the researcher over and above that which is available at the EUI (in the Library, via conferences organised at the Institute, etc).

b. Such 'added-value' will be most likely to exist where:

- the researcher is invited to present his or her research at a conference;
- the mission would enable the pursuit of research on a subject which is insufficiently developed in the existing literature, which is difficult to access through the literature alone, or for which the necessary literature is not easily available through the EUI Library (in particular as regards comparative law);
- the mission enables the researcher to meet individuals who are likely to be able to help him or her directly to further the doctoral research (whether as an external supervisor, as a specialist or practitioner directly concerned with the topic of the research, as a useful contact for the purposes of empirical research, as someone working on related or complementary subjects, etc.).

c. Mission requests will be subject to a "proportionality" assessment, in the sense that the relationship between the cost of the mission and the quality of the benefit which it is likely to bring to the researcher will be considered.

d. In the interests of efficiency, a mission will more readily be capable of justification where:

- the researcher herself or himself is already familiar with the state of the art of the doctoral research;
- in the case of a conference, the mission is distinct from other such meetings by virtue of its theme, the quality of the participants etc.

11.2. PRACTICAL PROCEDURE FOR REQUESTING FUNDS

a. **Two forms** must be submitted to the supervisor:

- i. Mission Request form, fill it in **online**, then print it and sign it

- ii. Mission Authorization form, to be filled in **by the supervisor** (not by the researcher). www.eui.eu/DepartmentsAndCentres/Law/RulesForms/MissionResearchers.aspx
- b. Please **insert on the form**:
- As much information as possible about the purpose of the mission and its relevance for your thesis;
 - Full details of your Italian bank account with IBAN, BIC/SWIFT codes (if this is not the EUI bank), or full details of your foreign bank account, but note that the transfer fees to a foreign account will be deducted from the funds allocated. No cash payments are possible. If in exceptional cases you have to request payment to a friend's account please state the exact name of the account holder, the name of the bank, the full address of the branch and give IBAN, BIC/SWIFT codes.
 - Attach supporting documents if registration fees are requested
- c. If the supervisor approves the mission and signs the forms, give them directly to the Alison Tuck who will forward them to the Administrative Site Officer and the Head of Department for approval.
- d. Mission requests must be submitted to the Department **at least three weeks** before departure for the planned mission, in order to ensure that funds can be paid before the start of the mission.
- e. No retroactively requested missions will be accepted. Payment is normally made before the mission starts.
- f. Please see point 1.6. above on leaves of absence before requesting a mission .
- g. Researchers must hand in a written report on the outcome of the mission to their Supervisor, via his/her secretary, at the latest two weeks after their return.
- h. Contributions are authorized according to the EUI rules set out in *Decision No. 22/01 of the President of 29 November 2001* as follows:

Table with the maximum amounts reimbursable to research student applicants:	
Distance in Km	Lump Sum Contribution €
less than 200	30
201-400	50
401-600	70
601-800	105
801-1000	130
1001-1200	155
1201-1400	185
1401-1600	210
1601-1800	260
1801-2000	310
more than 2000	440
Stockholm, Helsinki	520
Accommodation x day (lump sum)	€
up to 15 days	35
from day 16 to day 30	25
Lump sum for travel outside Italy	€
Euro	15

12. APPLICATION PROCEDURE FOR VISITORS

The Law Department admits a limited number of external scholars who wish to do research in the Library and participate in academic activities. We receive many requests, so we must be very selective and limit the number of visitors here at any one time. Precedence is given to those scholars whose research interests relate directly to work being carried out within the Department and is of particular interest to one or more of the Department's teaching staff. We do not admit visitors for the sole purpose of following seminars, nor do we make such appointments during June-August when there are no academic activities.

All visitors must be entirely self-financed as the Department has no funds to support them. We are unable to offer either secretarial assistance or telephone expenses. The deadlines for applications are as follows for all visiting fellows and students:

- for a visit during the Second Term (January-March) the request should be made at the latest **by 15 October 2009**, in order to receive a decision by 18 December;
- for a visit during the Third Term (April-June) the request should be made at the latest **by 15 February 2010**, in order to receive a decision by 31 March.
- for a visit during the First Term (October-December) the request should be made at the latest **by 12 May 2010**, in order to receive a decision by 30 June;

Before applying for the status of a Visiting Fellow or Visiting Student, please check whether a simple application to the Library as an External User would not be sufficient to cover your needs. Library admissions policy is available at: <http://www.eui.eu/Research/Library/AboutTheLibrary/LibraryRules.aspx#externalusers>

12.1. VISITING FELLOWS

Post-doctoral scholars or the equivalent may be appointed as Visiting Fellows. All requests must be approved first by the Law Department and then by the Executive Committee of the Academic Council. We do not normally make appointments for more than 2-3 months, nor do we make them between June-August when there are no academic activities. Detailed applications stating the purpose and dates of the visit should be addressed together with a *curriculum vitae* to the Head of Department according to the timetable listed above, with a copy to alison.tuck@eui.eu

12.2. VISITING STUDENTS

Post-graduate students registered in a similar Ph.D. programme at another university or institute may be appointed as visiting students, but we do not accept LL.M. students. The Department normally appoints visiting students for no more than 2-3 months, and only in very exceptional cases might a visit be longer. The EUI Admissions Committee will then normally have to approve the visit. No visit may exceed 10 months. Professors of the Law Department are not normally available for consultations with visiting students, unless agreement is reached in advance with a specific professor who will act as a tutor during the student's stay.

Detailed applications stating the purpose and dates of the visit should be addressed, together with a *curriculum vitae*, an outline of the current Ph.D. research and a supporting reference letter from the supervisor of the research, to alison.tuck@eui.eu according to the timetable given above.

If an applicant for the status of visiting student needs a certificate in order to obtain a subsidy or grant from any source, he/she will have to provide the exact address of the grant-awarding authority and a template of the relevant type of certificate by e-mail at least two weeks in advance. Please note that the EUI is not an Italian university and should not be considered as such for the purpose of a research visit.

No degree will be delivered or papers marked for credit by the Law Department for visiting students. A certificate of attendance will be provided.

N.B. Visiting students will not be allowed to apply to the Ph.D. or LL.M. programmes during the academic year of their stay at the EUI.

12.3 EXTERNAL LIBRARY USERS

External scholars seeking access to the Library to pursue their research must submit their requests directly to the Library at <http://www.eui.eu/Research/Library/AboutTheLibrary/AccessPolicy.aspx>

They will not be considered as either visiting fellows or visiting students and they will not be able to follow the Law Department's seminars. The Department will not issue certificates of acceptance or of attendance for Library users.

13. FIELDS COVERED BY THE PERMANENT PROFESSORS OF THE LAW DEPARTMENT IN 2009-10

The following indications are given in order for researchers to know which professor they might consult on their research projects (thesis, papers etc.)

Professor Fabrizio CAFAGGI (*leave of absence 1 September-31 December 2009*)
(on leave from Università degli Studi di Trento; appointed in October 2002, contract to end in May 2012)

Secretariat: Anna Coda Nunziante

A list for appointments will be posted on the door of Anna Coda Nunziante's office on the first floor of the Villa Schifanoia

- Comparative private law
- Law and Economics
- Self-regulation and codes of conduct with a special emphasis on private law and regulatory techniques
- Non profit organisations and welfare systems; United States contracts and torts law; Italian law

Languages: Italian, English, French, and Spanish.

Professor Marise CREMONA, *Head of Department from 1 November 2009*
(appointed in January 2006, contract renewable in January 2011)

Secretariat: Anna Coda Nunziante

A list for appointments will be posted on the door of Anna Coda Nunziante's office on the first floor of the Villa Schifanoia

- External relations of the European Union, including trade and commercial policy; EU-WTO relations; foreign and security policy; enlargement
- European Neighbourhood Policy
- The European Internal Market
- European Union institutional and constitutional law

Languages: English, French

Professor Bruno DE WITTE

(on leave from University of Maastricht; appointed in March 2000, contract to end on 31/3/2010)

Secretariat: Annick Bulckaen

Appointments to be requested directly by e-mail

- Institutional law of the European Union, including among others: relations between EU law and national law, and between international law and EU law; protection of fundamental rights; horizontal division of powers (between the institutions) and vertical division of powers (with the member states); sources of EU law.
- European, international and comparative legal regulation of culture, media, education and language use, and the protection of minorities.
- Dutch and Belgian public law

Languages for supervision purposes: Dutch, English, French, Italian, and German

Professor Francesco FRANCONI

(on leave from Università degli Studi di Siena, and formerly University of Texas School of Law; appointed in September 2003, contract to end in September 2012)

Secretariat: Annick Bulckaen

A list for appointments will be posted on the wall of the first floor in the Villa Schifanoia near Annick Bulckaen's office.

International Law; International Human Rights Law; International Organisations Law; The Law of International Spaces; International Economic Law; Private International Law; International Environmental Law; Cultural Heritage Law; European Union Law

Current research:

- Cultural diversity, cultural heritage and international law
- Sovereignty, globalization and the protection of human rights
- The role of customary international law in human rights adjudication
- Biotechnologies, development and human rights
- Institution building in the area of environmental protection

Languages: Italian, French, English, and Spanish

Professor Hans-W. MICKLITZ, *Director of Graduate Studies*

(on leave from University of Bamberg, appointed in October 2007, contract renewable October 2012)

Secretariat: Marlies Becker

Appointments to be requested directly via email.

- European economic and private law, consumer law,
- ongoing research projects: 'The visible hand of European private law' (project design available at the homepage), 'socio-economic determinants of social justice' (project design available at the homepage), 'administrative and judicial collective enforcement in the US and the European Community' with Fabrizio Cafaggi.

Languages: German, English, French and Italian

Professor Marie-Ange MOREAU

(on leave from Université d'Aix-Marseille III; appointed in September 2003, contract to end in September 2011)

Secretariat: Anna Coda Nunziante

Appointments by e-mail or sign up on the list for appointments which will be posted on the door of Anna Coda Nunziante's office on the first floor of the Villa Schifanoia

- French Labour Law
- Comparative Labour Law
- EU Social Law International Private Law
- International Social Law

Languages: French, English

Professor Dennis PATTERSON

(on leave from Rutgers University School of Law, Camden, USA; appointed in September 2009, contract renewable in August 2014)

Secretariat: Marlies Becker

Appointments to be requested directly by e-mail

- Legal Theory
- Legal Philosophy
- International Trade Law
- Theory of International Law
- US Commercial and Contract Law

Languages: English, German and Italian

Professor Ernst-Ulrich PETERSMANN, *Head of Department until 31/10/09*

(formerly Graduate Institute of International Studies and University of Geneva, as well as Universities of Fribourg, St. Gallen, Michigan, Saarland, Heidelberg, Hamburg; appointed in September 2001, contract to end in August 2011)

Secretariat: Anna Coda Nunziante

Appointments to be requested directly by e-mail.

- International law, especially international economic law, environmental law and human rights law.
- European law, especially constitutional law and foreign relations law of the EU.
- German and Swiss public law, especially constitutional law.

Languages: German, English, French and basic Italian.

Professor Miguel POIARES MADURO

(formerly Advocate-General at the European Court of Justice and Universidade Nova de Lisboa; appointed Joint RSC/Law Professor from 16 October 2009 contract renewable in October 2014)

Secretariat: Marlies Becker

NB: Professor Poiares Maduro's office is at San Domenico close to the Badia

Appointments to be requested via Marlies Becker

- EU Constitutional and Economic law, including subjects such as institutions, separation of powers, free movement, social rights, competition law and state action.
- Constitutional theory, in particular issues of constitutional pluralism.
- Some areas of International Economic Law and, in particular, the constitutional law dimension of globalisation.
- Comparative Institutional Analysis: a legal methodology focusing on legal issues as institutional choices.

Languages: Portuguese, English, French, Italian and Spanish

Professor Ruth RUBIO MARIN

(formerly Professor of Constitutional Law at the University of Seville; appointed in September 2008, contract renewable in August 2013).

Secretariat: Annick Bulckaen

Appointments to be requested directly by e-mail

- Law and gender (in particular gender and constitutional law);
- Citizenship theory;
- Immigration in Europe and the US (in particular from a constitutional and theoretical perspective);
- Antidiscrimination theory;
- Minority rights (with particular emphasis on language rights);
- Political theory;
- Transitional justice and reparations for victims of human rights violations.

Languages for supervision purposes: Spanish, English, French, and Italian

Professor Giovanni SARTOR

(Marie Curie Professor of Legal Informatics and Legal Theory; on leave from University of Bologna, Faculty of Law; appointed January 2006, contract to end in December 2011)

Secretariat: Annick Bulckaen

Appointments to be requested directly by e-mail

- Legal informatics, especially artificial intelligence & law, computable models of legal reasoning and knowledge, standards for legal information, digital agents and societies, models of trust, support to legislation, electronic democracy.
- Legal theory, especially legal reasoning, legal logic, legal arguments and dialogues, theories of rights and normative positions, collective agency, game-theory and the law, legislative drafting, legal evolution and complex systems.
- Computer law, especially data protection, intellectual property, digital-rights management, open-source and creative commons, e-government and e-commerce;

Languages: Italian, English, French, German; Spanish (passive only).

Professor Martin SCHEININ

(formerly Åbo Akademi University, Finland; appointed in September 2008, contract renewable in September 2013)

Secretary: Annick Bulckaen

Appointments to be requested directly by e-mail

- Public international law, including human rights law, international organisations law, the law of treaties, humanitarian law, international criminal law, international adjudication, the law of countering terrorism, rights of indigenous peoples and minorities
- Comparative constitutional law.

Languages: Finnish, English, Swedish (plus Danish, French, German and Norwegian, passive only)

Professor Heike SCHWEITZER

(Joint RSCAS Professor, formerly University of Hamburg and Max-Planck-Institute for Comparative and International Private Law, Hamburg; appointed October 2006, contract renewable in 2011)

Secretariat: Marlies Becker (Law); Laura Burgassi at RSCAS

NB: Professor Schweitzer's office is in the Convento at San Domenico

Appointments to be requested directly by e-mail

- EU Competition Law
- Regulated Industries (telecommunications and media, energy, postal sector)
- Public Procurement Law
- Comparative Corporate Law and Corporate Governance (Germany, US, EU), with a special focus on the private law of mergers & acquisitions
- Comparative Contract Law (Germany, US, EU)

Languages: German, English (fluent); Spanish, French (passive)

14. THE EUROPEAN JOURNAL OF LEGAL STUDIES (EJLS)

The EJLS, launched in April 2007, is an academic online legal journal based at the EUI and managed exclusively by doctoral researchers of the Law Department. The Editorial Board comprises roughly 20 researcher members but enjoys the full support and encouragement of the Law Department, the professors of which constitute an Advisory Board for the EJLS.

The EJLS is committed to two fundamental tenets, that of discourse – of discursive academic journeymanship – and to that of linguistic diversity – a multilingual dialogue. Both are mutually informative in the sense that our core goal is to improve academic legal scholarship by broadening and deepening our understanding of law.

The Department provides logistical and financial support to the EJLS in recognition of its aims and the benefits for the EUI. It is foreseen that the Academy of European Law and the Law Department will, from time to time, run joint initiatives, such as conferences and symposia in collaboration with the EJLS.

14.1. OPPORTUNITIES FOR PARTICIPATION

The EJLS is an extremely rewarding activity, encouraged by the professors of the Law Department. It is open to all doctoral researchers in the Law Department. That said, it is a demanding intellectual and administrative commitment. Consequently, only able, organised students with strong linguistic abilities are encouraged to apply.

For further information, take a look at the EJLS website at www.ejls.eu. If you are interested in participating, discuss it with your supervisor and send an email to the EJLS board at ejls@eui.eu.