

PRESIDENTIAL ANNUAL REPORT

Dear ELFA Members, Deans and Colleagues

As the President of the ELFA Board of Directors elected at the last General Assembly, which took place in Madrid on 10th March 2012, I have the privilege to give you my report on the work performed by the Board over the last year.

1. Madrid Conference

First of all, I would like to look back on the starting point of the year: the ELFA conference in Madrid. It was the turning point after a phase in which my predecessor was confronted by several organizational difficulties. I would therefore like to compliment the previous President, Manuel Bermejo (Universidad Carlos III de Madrid) on his efforts towards overcoming these difficulties and for the successful organization of the inspiring annual conference in Madrid. It is my impression that this conference made a considerable contribution to the analysis of problems in ELFA's work and placed important emphases on further activities.

The Resolution adopted by the General Assembly in Madrid was sent to several Ministries of Justice and Ministries of Education in the home countries of ELFA Members. The text of the resolution is now available on the ELFA website at <http://www.elfa-afde.eu/documents/resolutions/>. It is essential that ELFA's resolutions find their way into the media and into the hands of decision-makers at National and European levels. It is only through these means that they can hope to reach the planned impact they deserve.

In accordance with the new concept, which the Board developed at the conference in Madrid, this meeting in Madrid was not just concerned with the general topic "Legal Education and Professional Life: Adapting to Current Challenges". Instead, great interest was attracted by the three panels which took place on specialist subjects: "Environmental Law" and "Consumer Protection Law". A considerable part of the contributions to the General Meeting are now available in an extended written version on our homepage (<http://elfa-afde.eu/annual-general-meeting/agm-madrid-2012/programme/>). In addition, other Board Members and I have held meetings with representatives of the European Commission and of other organizations, during which we drew upon the significance of the general topic and the panel discussions of the Madrid conference as well as the subject of next year's congress (see below).

2. The 2012-2013 Board of ELFA

The new Board of the European Law Faculties Association has been in charge since the General Meeting in Madrid. Together with my fellow Board Members José María de Dios Marcer (Universitat Autònoma de Barcelona), Laurence Gormley (University of Groningen), Halûk Kabaalioğlu (Yeditepe University Istanbul), Věra Kalvodová (Masaryk University) and Anne Klebes-Pélissier (University of Strasbourg) and with the effective support of the past-president Manuel Bermejo (as permanent adviser of the Board), I have since taken a number of steps in order to quickly solve several of the problems discussed at the General Meeting in Madrid and in order to initiate a number of new long-term projects for ELFA. After some six months in this position I have given an overview of these steps to the members and friends of ELFA in the President's Letter of October 2012; this report is based on it to some extent.

These measures and projects, which are described in the President's letter from October 2012, were discussed and passed at the ELFA Board meeting held from the 26–28th June 2012 at the Yeditepe University Istanbul. The second Board meeting took place from 11-12th October 2012 at the Freie Universität Berlin. At this meeting the board expanded upon and defined the measures and projects discussed at its first meeting (more detail will be provided below) and prepared the programme for the 2013 annual conference in Münster. The third Board meeting, held from the 17–18 January 2013 at the Universidad Autònoma de Barcelona, focused primarily on the continuation of the preparations for the annual conference, the consultation on proposed changes to the articles of incorporation (see the letter dated 31 January 2013 and at <http://elfa-afde.eu/annual-general-meeting/agm-m%C3%BCnster-2013/>) as well as planning the continuation of activities in the time after the 2013 annual meeting in Münster (in particular with respect to the ELFA-Award, the cooperation with the American Law School associations and administrative matters).

3. Communication with ELFA Members, other organizations and public institutions

Over the last year, an important task was to improve the communication between the Board and ELFA members as well as the communication with law faculties that are not presently members and also with other organizations and public institutions that are occupied with matters that not only concern legal teaching and research but also the legal profession. What use are our intensive discussions and convincing resolutions adopted at the General Meetings if we do not communicate these to such other associations and institutions – from national and European lawyers' associations to the responsible ministries and persons at national and European level? And could our resolutions passed at the General Meetings have lasting effect if they can be discussed in detail beforehand and afterwards at our member faculties and if other law faculties can also be informed thereof? In order to prevent the present deficits in this respect, I have arranged with our secretariat that, since spring 2012, a digital version of "ELFA

News” is to be sent on a regular basis to our member faculties, to other faculties and to a broad circle of other interested parties. The “ELFA News” reports on a monthly or bimonthly basis on ELFA’s activities – not just with respect to the resolutions that have been passed but also with respect to other events and projects and the Board’s current activities. It is available to all member faculties in order for them to make suggestions and give ideas for further activities, to announce projects of general interest or to publish matters concerning the next General Meeting. It would give me great pleasure if this new forum were used intensively by all members in the future (alongside the established forum of our homepage www.elfa-afde.eu).

4. Administrative matters

One of the most important tasks over the past year was to achieve improvements concerning the administrative matters. It is my impression that considerable developments have been made in this respect. The difficult problems that arose in relation to the secretariat (as reported at the 2012 Annual General Meeting in Madrid) have been resolved. As ELFA secretary, Miss Nuria Muñoz is now responsible for the day-to-day matters. She is available for all queries from members or other interested parties. In addition, Mrs Miriam Boehm and Miss Bárbara Díaz Arroyo, who are based in Münster, Germany, provided support to the Board.

5. ELFA-Award

As I announced in Madrid at the General Meeting, a prize is to be awarded by ELFA for the best Ph.D thesis in the field of European law (for further information see www.elfa-afde.eu/elfa-award/). The announcement of this award to all law faculties in Europe and further institutions should encourage young scholars to work in those fields in which the European law faculties dedicate teaching and research resources and, at the same time, create more awareness of ELFA. The request for submission has received a positive response (30 submissions); further information on the theses that have been submitted will be given in the “ELFA News”. A jury composed of renowned scholars will take on the task of evaluating the submitted theses. The jury members are: Prof. Dr. Vlad Constantinesco (University of Strasbourg), Prof. Dr. Rafael Illescas Ortiz (Charles III University of Madrid) and Prof. Stephen Weatherill (University of Oxford); the coordination of the jury is conducted by Board Member Laurence Gormley. The award will be given at a public ELFA event, which is being organized by Board Member Anne Klebes-Pélissier and is likely to take place in Strasbourg on 15th and 16th May 2013.

6. Cooperation with the American Law School Associations

The General Meeting in Madrid placed particular emphasis on the cooperation with the “Association of American Law Schools” (AALS) and the “Southeastern Association of Law Schools” (SEALS). Since the adoption of the resolutions in Madrid I have discussed and substantiated these resolutions in person with the SEALS President,

Prof. Patrick Hugg and with the AALS Executive Director, Prof. Susan Westerberg-Prager.

In particular, an exchange of teaching staff between ELFA members and SEALS members was agreed upon. In the meantime the corresponding electronic forum has been initiated and is already in use. I would like to ask that member faculties draw their staffs' attention to this possibility and to develop the use of this opportunity (<http://elfa-afde.eu/exchange-programme>).

During the meeting with the AALS it was agreed that the respective ELFA and AALS annual conferences should continue with the exchange of views concerning the challenges for law faculties and law schools, respectively. In so doing, particular attention shall be paid to the problems experienced on each side of the Atlantic regarding the maintenance of the level of legal education in light of limited public resources and with respect to the unity of research and teaching. For this purpose the next annual congresses of each organization shall, if possible, incorporate joint sections or panels (involving representatives from each organization). Accordingly, the ELFA Board has included a European-American panel on the topic of "American and European perspectives on the unity of research and teaching" in the programme of the 2013 annual meeting.

7. Structures

A further important question, with which the Board has been occupied, concerns the possible improvements to the structural framework of our activities. Experience from past years has shown in different forms that the discontinuation in the Board and in the ELFA presidency can lead to considerable disadvantages. Our articles of incorporation provide that the Board Members have tenure of four years and that the President is elected on a yearly basis. These short periods can lead to a lack of experience in relation to particular tasks or establishing contacts or that long-term plans and projects are not realized.

The Board has therefore suggested the changes to the articles of incorporated, which have been presented in the letter dated 31st January 2013 (see also <http://elfa-afde.eu/annual-general-meeting/agm-m%C3%BCnster-2013/>) and which will be decided in Münster at the General Assembly.

Where the presidency is concerned, the Board has received a suggestion from an ELFA member that this should also be extended. However, the Board favours a solution which is not as extensive and which would not involve a change to the articles of incorporation: At the end of the presidency, the previous President should provide advice and support to the new President and the Board (either in the form that the past President is elected as a Board Member for a two year period or that the past President is active in an advisory capacity though not as a member of the Board).

8. “Unity of Research and Teaching” – the Programme of the Annual General Meeting in Münster

Discussions with member-faculties, with legal practitioners and with administrative staff from a number of universities have shown that a current, considerable challenge for law faculties is emerging in the threat of restriction or division of their traditional functions. In a number of countries – above all in several of the central eastern European countries – there is indeed an increase in the number of law schools; however, these schools are in part limited to legal teaching without linking this to legal research and without guaranteeing a high level of teaching through the participation of scholars experienced in legal research. Furthermore, it appears that there is also a tendency in other countries that public funds for law faculties are lacking and/or the responsible political institutions are more interested in a greater number of students than in an education on a high academic level. Alongside this one can observe that there is an increase in the number of institutions – mostly of a private, commercial nature – whose focus is on offering individual elements within the traditional scope of a law faculty, but on a commercial basis (for example a specialized education in a particular area of law. The Board has therefore decided to make the challenges, which arise from tendencies concerning the profile of law faculties in Europe, the subject-matter of the 2013 Annual conference and thus to focus on the question of whether and how in this context the unity of research and teaching in law faculties can be realised.

9. Final remarks

Concluding this annual report, I would like to highlight my view that the “ELFA News” and the ELFA website, as well as the aforementioned measures (e.g. concerning the ELFA-Award) have made a contribution to an improvement of the communication within ELFA (although further improvements are desirable and possible) and that ELFA has developed new approaches towards a public presence and representative of the interests of law faculties in Europe. As my Board membership is coming to an end I would like to take this opportunity to extend my kind thanks to my colleagues, with whom I was able to work with in these matters, for this intensive and inspiring time. The Board would not have been able to perform its tasks without the dedicated and effective support provided by our three assistants, who worked excellently with us and with one another: our secretary, Nuria Muñoz, and the two members of the ELFA administrative teams in Münster, Miriam Boehm and Bárbara Díaz Arroyo. I wish the new Board such competent assistants; I wish the new President and the new Board a year which is as equally rich in motivation and good experiences as the previous year.

Reiner Schulze

