



## I. DESCRIPTION OF STUDY PROGRAMME FORM

BASIC INFORMATION	
<i>Title of study programme</i>	<b>Postgraduate doctoral study program in social sciences, area of law</b>
<i>study programme coordinator</i>	<b>Faculty of Law University of Rijeka</b>
<i>Study programme implementor</i>	<b>Faculty of Law University of Rijeka</b>
<i>Type of study programme</i>	university
<i>Level of study programme</i>	doctoral
<i>Academic/professional degree awarded upon completion of study</i>	<b>Doctor of Law (J.S.D.)</b>

### 1. INTRODUCTION

#### 1.1 Reasons for launching the study programme

Law Faculty of the University of Rijeka (hereinafter: Faculty) is committed to educating legal experts who will efficiently practice both national and international law. Graduate studies and postgraduate specialist study programmes as well as life-long education lay the grounds for the introduction of doctoral studies.

The Faculty's favourable geopolitical position predetermined its strong connection and communication with abroad. From the very beginning the main focus of the Faculty has been placed on the fields of international law, regional European and comparative law and on fundamental disciplines such as the general theory of law and state and human rights and freedoms. This orientation left an imprint on the courses and especially on the postgraduate study programmes (see more under Item No. 1.2)

In addition to the Croatian Association of Comparative Law the Faculty hosts many institutes such as: Croatian Human Rights Centre in Novi Vinodolski, Institute of Criminal Sciences Mošćenice, Institute of Maritime and Transport Law, Institute of European and Comparative Law, Publishing Institute, Conciliation Institute, Institute of Civil Law and the Institute of Company Law and Financial Law. Furthermore, the Jean Monnet Chair at the University of Rijeka holds the Jean Monnet Inter-University Centre of Excellence in the field of law in Opatija.

In terms of international co-operation the Faculty has achieved significant results in a relatively short period by taking part in many joint research projects and by hosting visiting professors and researchers from abroad. At the same time many Faculty's researchers continued their postgraduate education abroad. Furthermore, Faculty's students participate successfully in international competitions in international arbitration and humanitarian law. In fact, the first students of the Rijeka University who visited foreign universities as part of the ERASMUS project were the Faculty's students. In addition to postgraduate specialist study programmes, the Faculty organizes specialist courses as well.

The Faculty's academic staff participated in lectures and research at foreign universities. Some of them held or still hold subjects at foreign universities thus enabling the Faculty to be part of the major international developments in law. Other members of the academic staff are actively involved in working groups for legal drafting.

At present the Faculty employs 35 doctors of science (*Scientiæ Doctor*), of which 31 are research scientists. Three doctoral theses were defended abroad, whereas 32 members of the academic staff earned their doctoral title at other institutions. There are 6 LL.M. holders about to defend their doctoral thesis and 11 research assistants enrolled in doctoral studies.

Doctoral studies aim to achieve excellence in scientific education in the field of law and be compatible with doctoral study programmes in most developed academic environments, especially with the European institutions and to further creative research in Croatian, international and comparative law.

A special component of doctoral studies is independent research of doctoral students and the valuable scientific contribution resulting from such research. At the same time doctoral study programmes should enable critical analysis of contemporary Croatian and foreign law.

A detailed concept of the Faculty's doctoral study programme is provided subsequently (under Item No. 2). The priority of this doctoral study programme is educating top researchers in the field of law and developing a centre for evaluating positive legislation and offering *de lege ferende* propositions and identifying arguments for a valid critical legal analysis by applying comprehensible comparative and historical analysis.

In short, doctoral studies round up the education process for lawyers and provide for the key scientific-research component. Therefore, the Faculty should develop into a top knowledge-driven scientific research centre, while doctoral studies should



become the focus of critical evaluation of achievements in the field of law.

### *1.2. Evaluation of purposefulness in respect to the market needs in public and private sector*

Croatia's approaching accession to the European Union has introduced changes and posed challenges for legal practice especially in regard to transposition and implementation of EU legislation. The academic and scientific community should enhance the implementation of the new legal system in practice. The Faculty's doctoral study programme aims to further the development of high-quality scientific and research activities by educating young researchers who in turn will contribute not only to the legal science, but also to the legal profession in private and public sector.

#### *1.2.1. Connection with the local community (economy, entrepreneurship, civil society)*

#### *1.2.2. Compliance with professional association's requirements (recommendations)*

#### *1.2.3. Name possible partners outside higher education system that showed interest in the study programme*

### *1.3 Comparability of the study programme with similar programmes of accredited higher education institutions in the Republic of Croatia and the EU (name and explain comparability of the proposed programme with two programmes, whereas at least one of which should be from the EU (provide their web sites))*

The programme is based on the principles of the Bologna process laid down in the Act on Scientific Activity and Higher Education and in the Graduate Studies Regulations of the University of Rijeka. It takes account of the Principles for Postgraduate Doctoral Studies of the National Council for Higher Education which are included in the doctoral programme of the Law Faculty at the University of Zagreb and of the Collective bargaining agreement for science and higher education.

Inspired by the Humboldt University the programme draws on the idea of a university as the centre for educating both students and academic staff by scientific research. For this reason the seminar constitutes the most instrumental form of class at the Humboldt university, during which students and professors read and discuss their own scientific manuscripts and texts of great authors. Although rooted in the German tradition this idea has been further developed by the Anglo-American universities, in particular by North American postgraduate schools in fields of humanistic and social sciences. While students at the German universities have to write seminars in addition to their thesis, at the American universities students are required to write thesis only.

The programme complies with the North American postgraduate studies in terms of the following:

Full-time students are expected to meet the requirements for earning the doctoral title in three years with the possibility of one additional year. Part-time students including university assistants and research assistant involved in teaching and/or other activities are expected to complete their doctoral studies in six to eight years.

During the first year full-time students (part-time students during the first and the second year) are expected to:

- complete six one-semester subjects taught either in small groups or in the form of individual classes and exceptionally pass three exams (for foreign students and special-needs students)
- write three publishable seminar papers under supervision and defend them orally in public;
- hold two lectures;
- participate at a doctoral conference (at which students present and defend their seminar papers, thesis proposal, i.e. prospectus and doctoral thesis)
- write a legal scientific paper (published or accepted for publishing);
- write their thesis which should be published as a scientific monograph; the thesis should be approved and orally defended.

In exceptional cases (e.g. for special-needs students, foreign students and students who completed other postgraduate study programmes) the doctoral studies follows the German model under which the doctoral title is awarded after having passed examinations and having written doctoral thesis.

Following the Italian model under this programme the students will be required to spend at least one semester at an international research institution (special-needs students are allowed to write two scientific papers instead).

This programme corresponds to the doctoral law study programme of the Zagreb University as it includes:

- a preparatory phase consisting of subjects and seminar papers, including a compulsory course in the methodology of law (60 ECTS);
- publishing of a scientific paper;
- doctoral research that leads to a publishable scientific monograph.



However, it also differs from the above mentioned programme at the Zagreb University as:

- applicants are expected to submit an elaborated prospectus (thesis proposal) endorsed by the prospective mentor (who should be one of the doctoral studies academic staff) in the application form, whereas students at the Zagreb University submit their first research topic proposals for thesis relatively late;
- students take only six subjects having the total value of 30 credits, unlike students at the Zagreb University;
- all seminar papers are written as drafts of doctoral thesis (which is not the case at the Zagreb University);
- except for one compulsory course (Methodology of legal science), students choose among elective courses, whereas at the Zagreb University students are required to take most of the subjects offered in one field such as international law or civil law;
- in the event that only one student signs up for an elective subject, classes will be held, whereas at the Zagreb University classes are held only if a sufficient number of students sign up for the respective subject;
- required visit and stay at an international research institution is more strict than a similar requirement at the Zagreb University;
- finally, since a thesis in legal science at the University of Rijeka consists of 90 ECTS credits it should be more comprehensive than the one at the University of Zagreb having 60 ECTS credits.

<http://www.pravo.hr>

<http://www.kfunigraz.ac.at/>

#### *1.4. Openness of the study programme towards horizontal and vertical mobility of students within national and international higher education area*

This programme meets the preconditions for student mobility. ECTS credits enable the transfer from/to other universities and the participation in activities at other universities. Under this programme students may participate in other programmes at this University or at other Universities. For instance, students may take subjects at law faculties of other universities, or at other research institutions, which are not part of the University or the Faculty.

In keeping with the conditions laid down by this programme doctoral studies may integrate the contents of graduate and postgraduate studies (specialist and others) and life-long education carried out either by the Faculty or by the University of Rijeka through ECTS credits.

#### *1.5. Alignment with the Mission and the Strategy of the University of Rijeka*

The University of Rijeka pursues the mission of developing multidisciplinary studies and aims to ensure constant growth in terms of quality, competitiveness and international competitiveness.

The postgraduate doctoral study programme is compatible with the Strategy of the University of Rijeka for the time period since 2007 to 2013 (hereinafter: the Strategy) because of the following reasons:

1. It consists of one compulsory subject, while all other subjects are elective. The latter are elected according to driving current issues.
2. It enables both horizontal and vertical mobility. Exams passed in the course of other postgraduate study programmes in law and in the course of other postgraduate studies can be acknowledged as elective subjects. Vertical mobility is accomplished by ECTS evaluation of each exam, written papers and other contributions of students.
3. Renowned scholars hold courses.
4. In keeping with the Strategy's focus on increasing research activities the study programme is dedicated first and foremost to research.
5. It is intended to encourage independent work in concrete subjects.
6. It furthers mobility of students and academic staff. Accordingly, study visits at foreign institutions are obligatory during the second year. On the other hand, members of the academic staff participating in this programme hold classes abroad and take active part in compiling university textbooks. This is emphasized as especially important in the Strategy.

#### *1.6. Institutional strategy for study programmes development*

By signing the Bologna Declaration in 2001 the Republic of Croatia intended to become part of the European Higher Education Area. The Faculty wishes to contribute to the realization of this aim by offering a postgraduate doctoral study model which would fit the European Higher Education Area.

Fundamental objectives of the postgraduate doctoral studies are:

- furthering postgraduate education in Croatia,
- reaching a level of postgraduate programmes compatible with similar programmes in the EU,
- promoting co-operation with other universities and institutes in the country and abroad,
- increasing the quality level of scientific research,



- furthering specialization of postgraduate education,
- education of doctoral students in line with the education level of PhD students in western Europe and in the US,
- education of experts who will contribute to the advancement of education, science, economy and other segments of our society.

Despite the variety of study programme models for different scientific areas which differ in terms of financial resources and human resources among other things, great efforts are put into setting up postgraduate doctoral studies which would be known for top-quality scientific research.

#### *1.7. Other important data – according to the coordinator's opinion*

##### **Institutional supervision of doctoral studies**

The bodies of the postgraduate study programme include Dean, Vice-Dean for Science, Faculty Council, Postgraduate Doctoral Studies Council (hereinafter: Doctoral Studies Council), Head of Postgraduate Doctoral Studies, students' mentors and the Secretary of Postgraduate Doctoral Studies.

Upon proposals by the Dean, the Vice-Dean for Science or by the Doctoral Studies Council, the Faculty Council makes decisions concerning the following:

- curriculum of the postgraduate doctoral study programme and changes thereto,
  - appointment of holders of courses in the framework of doctoral studies,
  - tender notices for student enrolment,
  - enrolment of applicants in accordance with the tender conditions,
  - appointment of committees for assessing applicants and their prospectus,
  - appointment of committees and scheduling oral defence of prospectus,
  - appointment of mentor and potential co-mentor for doctoral thesis,
  - appointment of committee members for the assessment and defence of doctoral thesis,
  - endorsement of the thesis assessment,
  - appointment of persons responsible for conducting the required procedure and scheduling the defence of thesis,
  - amount of enrolment fees, tuitions and other costs and payment conditions,
- whereas the Head of Postgraduate Doctoral Studies
- takes part in the preparation of setting-up, starting and functioning of doctoral studies,
  - is in charge of preparation and implementation of the doctoral study programme,
  - endorses selection of courses upon mentor's proposal before the student signs in the respective courses in his student book,
  - sets the schedule of classes in coordination with the academic staff who hold respective courses,
  - proposes to the Doctoral Studies Council projections of costs and finances of the studies, and
  - proposes to the Faculty Council the selection of mentors.

##### **Consultation and supervision in the course of doctoral studies**

The Faculty or the University takes appropriate measures to ensure that the students complete their studies within the expected time frame insofar as it secures:

- mentorship (appointment of supervisors);
- individual consultation with academic staff who hold specific subjects;
- participation in scientific-research projects of mentors or of other academic staff carried out by the Faculty;
- referring to international conferences, in particular international ones;
- independent teaching pursuant to the study programme;
- library access and access to other legal and legal-scientific resources and scientific data normally available to the Faculty staff;
- job openings for positions of research assistants and/or associates designated primarily for doctoral students.

Academic staff involved in doctoral studies have the right and obligation to take active part in the main activities of doctoral studies, including:

- holding one to two courses;
- mentorship of two full-time students, i.e. of four part-time students at the same time;
- other independent teaching activities (presiding over and/or membership in committees for the assessment and/or public defence of prospectus or thesis; supervision while writing seminar papers and/or oral exams, including the doctoral examination; individual consultation while writing seminar papers or preparing exams, including doctoral examination and the like);
- participating in doctoral studies' administration either by participating in Doctoral Studies Council or holding courses





(involving several members of the academic staff), or in the function of Head or Deputy Head of Postgraduate Doctoral Studies.

#### Academic staff

- member's of the Faculty's academic staff (research scientists, senior research scientists and tenured faculty) including professor emeritus in the scientific field of law or in other scientific law-related fields (esp. political science, economics, sociology, philology) who are internationally renowned researchers;
- and persons invited to teach by the Doctoral Studies Council or by the Faculty Council who fulfil one of the following requirements:
  - if a person is not a member of the Faculty's academic staff but meets other requirements under Item No. 1 or
  - is a renowned foreign professor or expert as determined under Art. 92 (4) of the Act, may teach in the course of doctoral studies.

Researchers who have published at least three scientific papers in the last three years (which qualify for research scientific positions in the field of law, legal science or in social or humanistic sciences) and who have actively participated in at least one international scientific conference (with submitted scientific communication) are considered to be internationally renowned researchers.

Doctoral students shall be assisted by their mentor in:

- the preparation and elaboration of the student's personal doctoral studies progress plan;
- selection of research issues and topic and the preparation of one seminar paper which should form an integral part of the thesis;
- selection of research topic and prospectus application as well as the preparation of application and oral defence of thesis in terms of finding and collecting literature and overcoming other difficulties in the process of writing the thesis under the mentor's supervision;
- maintaining relationships with other academic staff participating in doctoral studies;
- arranging and organizing study visits and stays at international research institutions;
- joint research which results in joint scientific papers (co-authorship);
- familiarizing with other aspects of scientific research by participating in the mentor's scientific research projects and
- finding scholarships and jobs.

Mentors maintain in constant contact and co-operation with their doctoral students and are obliged to be at the disposal of students who have been assigned to them during the entire study programme on working days as follows:

- for full-time doctoral students one hour per 45 weeks including 5 one-hour consultations in person pro semester at the Faculty premises. Such meetings are to be scheduled in consultation with the student, whereas both the student and the Council are to be informed of the respective schedule prior to the beginning of the semester;
- for part-time students half an hour per week under the same conditions as for full-time students.

Mentors must assist their doctoral students in:

- the preparation and the assessment of thesis by a preparation seminar equal in duration to a preparation seminar for a seminar paper and
- the finalization of thesis and assessment by a preparation seminar equal in duration to three preparation seminars for a seminar paper.

Under this programme mentors have or may have additional obligations which are to be fulfilled during working hours. Such obligations include:

- teaching and holding individual classes in the respective subjects;
- preparation and teaching on behalf of the doctoral student;
- consultations for preparing doctoral examination and
- consultations for writing seminar papers.

Mentor must prepare reports on his cooperation with the doctoral student in the form of a log, which shall be submitted to the Head of Doctoral Studies, the Council, the Dean and the Faculty Council.

At least once a year the mentor submits a progress report on his doctoral student to the Head of Doctoral Studies who refers the report to the Doctoral Studies Council. The Council in turn submits the report upon its proposal to the Dean and Faculty Council for further consideration and endorsement. If deemed necessary, the report shall be submitted to the body or a person supporting the doctoral student in his studies.

The above log and reports should indicate doctoral student's progress for the respective period in terms of real achievements (e.g. class attendance, active participation in classes, teaching, passed exams, accepted seminar



communications and seminar papers, finalized thesis chapters, published scientific papers etc.) as well as in terms of other achievements (gained knowledge, skills, experience etc.) and indicate if and how these achievements are in keeping with the student's personal doctoral studies' plan.

Doctoral students may have two mentors (co-mentors).

If a doctoral student has co-mentors, the latter lay down their obligations and responsibilities towards the student by a written agreement which is to be submitted to the Dean, Head of Doctoral Studies and to the doctoral student.

The Council may release the mentor of his duties at the latter's reasoned request and may appoint a new mentor for the student only with a written consent of the student and the prospective candidate for the new mentor.

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## 2. GENERAL PART

### 2.1. Title of study programme

Postgraduate doctoral study program in social sciences, area of law

#### 2.1.1. Type of study programme

university

#### 2.1.2. Level of study programme

postgraduate

#### 2.1.3. Area of study programme (scientific/artistic) – indicate the title

**Social sciences, field of law**

### 2.2. Study programme coordinator

**Law Faculty University of Rijeka**

### 2.3. Implementor/s of study programme

**Law Faculty University of Rijeka**

### 2.4. Duration of study programme (indicate possibilities of part-time study, long distance study)

Students may enrol as full-time or part-time students in this study programme.  
Full-time students take three (3) years to complete doctoral studies (with the possibility of one (1) additional year).  
Part-time students take six (6) years to complete doctoral studies (with the possibility of two (2) additional years.)

#### 2.4.1. ECTS credits – minimal number of credits required for completion of study programme

Total value of studies amounts to 180 ECTS credits. In order to earn 180 ECTS credits, students must study 25-30 hours (attend classes, study independently) per 1 ECTS credit.

### 2.5. Enrolment requirements and selection procedure

Prospective candidates must meet the following criteria:

- Required level of completed study:  
university law study – awarded title: *magistar prava (mag. prava/mag. iur.)* or  
undergraduate law study – awarded title: *law graduate: diplomirani pravnik (dipl. pravnik/dipl. iur.)*; (in exceptional cases the Doctoral Studies Council may allow enrolment of candidates who do not hold a university law degree). In addition, students must possess knowledge and/or capabilities required for scientific participation in the field of law, i.e. they must fulfil one of the following requirements:
  - a. grade-point average of 3.5<sup>1</sup> or more;
  - b. completed postgraduate LL.M with a grade-point average of 3.5 or more;
  - c. the candidate has fulfilled all obligations under a one-year postgraduate scientific study programme in law or related sciences with a grade-point average of 3.5 or more;
  - d. completed postgraduate specialist study programme with a grade-point average of 3.5 or more, and
  - e. the candidate has published as a single author or as one of three co-authors three scientific or professional papers, of which at least one qualifies as a scientific paper required for the position of scientific researchers in the field of law (under the Regulations on conditions for scientific researchers or under related acts)
- appropriate command of foreign languages (as might be necessary for research in law), and active command of one additional language of the doctoral studies, i.e. of English, German, Italian or French (reads, understands and writes), plus a passive command of at least one additional world language or UN-language (reads), whereby

<sup>1</sup> The Croatian grading system consists of five grades with numerical equivalents as follows: excellent (5); very good (4); good (3), sufficient (2) and insufficient (1). The minimum passing grade is sufficient (2).



a passive command of English is required,

- has submitted a proposal of personal doctoral studies progress plan, which shows that he has identified a gap in the legal knowledge and is capable of filling this gap by his own research, the result of which will be an original scientific paper equal to a scientific monograph;
- has found a mentor or two co-mentors among the academic staff of doctoral studies who have published scientific papers on the proposed research topic;
- has recommendations of two professors of law or of other prominent lawyers and
- is capable of defending his personal doctoral studies plan.

### **Criteria for candidate selection and admission procedure**

Public tender for enrolment in doctoral studies is announced by the Faculty Council 6 months prior to the start of classes. The tender remains open for 15 days and contains the following information in Croatian or in another additional language; in case part of doctoral studies is performed in additional languages of the doctoral studies:

- title and level of doctoral studies, scientific field of the doctoral studies, duration of study and the organising institution;
- purpose of doctoral studies, i.e. training candidates to become independent researchers in the scientific field of doctoral studies;
- enrolment conditions (in entirety or summarized) and information on the programme and other acts on doctoral studies organization (e.g. links to the Faculty's web page);
- duration of study, i.e. full-time study and part-time study including special arrangements for students who are research assistants or teaching assistants;
- two types of preparatory courses: *general type* consists of courses with preparatory seminars and study visits abroad and *special type* for foreign students without knowledge of Croatian and/or for students lacking psychophysical abilities to attend classes consisting of examinations in the core subject Methodology of legal science and doctoral examination with a preparatory seminar and seminar papers with preparatory seminars;
- number of enrolment openings and number of students assigned to academic staff as prospective mentors;
- number of enrolment openings in priority order pursuant to the Faculty's needs;
- languages in which doctoral studies or parts of doctoral studies are performed, especially those parts of legal science in which exams can be passed in English or in additional languages of doctoral studies;
- tuition, i.e. study costs and payment of such costs;
- contents of enrolment application and application deadline;
- deadline for the tender implementation (no longer than two months) and the deadline for enrolment of the day of tender notice on the Faculty's web page;
- notice that the Faculty Council shall reach a final decision on performing doctoral studies for which a public tender has been announced provided the number of candidates who meet the requirements for enrolment and have enrolled is sufficient.

Public tender is announced on the Faculty's web page and may be announced elsewhere.

After the public tender has been completed the Faculty Council may announce another tender notice before the start of classes of doctoral studies, provided the doctoral studies' capacities have not been exhausted by the first tender.

### **Objection to tender**

Candidates have the right to challenge the validity of enrolment tender within seven days following the announcement of the tender implementation decision on the Faculty's web page.

Upon the announcement of the tender implementation decision candidates have the right to access the entire tender documentation.

Doctoral Studies Council must consider any objection made by the candidate and in compliance with the objection change or confirm the decision on the implementation of the tender within fifteen days of the deadline for submission of objections.





*2.6.1. Competences which student gains upon completion of study (according to CROQF ( HKO): knowledge, skills and competences in a restricted sense –independence and responsibility)*

Doctoral Studies aim to prepare students for independent scientific research in the scientific field of law, including the Methodology of legal science as preparation through the preparatory part of the Studies and by writing and defending the doctoral thesis.

After completion of studies that lead to the title of *doctor znanosti (doctor scientie)* students are qualified to:

- pursue academic career at one of the research and teaching institutions, i.e. carry out specialized activities of legal profession in both private and public sector;
- continue education and training at postdoctoral level;
- conduct in-depth critical analysis, evaluation and synthesis in the field of legal sciences;
- apply techniques and methodologies and conduct research in legal sciences;
- independent organization and implementation of research in the scientific field of legal sciences;
- communicate and evaluate achieved results in the scientific field of legal sciences and promote excellence in the academic and professional context in the field of legal sciences in a knowledge-based society.

*2.6.2. Employment possibility (list of possible employers and compliance with professional association's requirements)*

This doctoral studies aim to educate high-calibre young researchers who will contribute to the advancement of legal science at higher education institutions and institutes and who will apply their knowledge in public and private sector, especially in terms of implementing research results in practice.

*2.6.3. Possibility of continuation of study on higher level*

Successful completion of doctoral studies rounds up the education process for lawyers. At present, further (post-doctoral) education is not available at the University of Rijeka. Students who successfully complete doctoral studies in law may embark on many post-doctoral studies abroad.

*2.7. Upon applying for graduate studies list proposer's or other Croatian institution's undergraduate study programmes which enable enrolment to the proposed study programme*

*2.8. Upon application of integrated studies - name reasons for integration of undergraduate and graduate level of study programme*



### 3. PROGRAMME DESCRIPTION

3.1. List of compulsory and elective subjects and/or modules (if existing) with the number of active teaching hours required for their implementation and number of ECTS-credits (appendix: Table 1)

Attached

3.2. Description of each subject (appendix: Table 2)

Attached

3.3. Structure of study programme, dynamic of study and students' obligations

The Study consists of at least 180 ECTS credits which the student earns by studying (attending classes, studying independently or the like) 25-30 hours per 1 ECTS credit.

Study includes a preparatory part and scientific research.

The preparatory part is performed either as:

- a) General type of preparatory part including:
  - Scientific research in a total value of sixty (60) ECTS credits;
  - Study visit for a minimum period of one semester at a renowned international research institution for legal science in the value of twenty (20) ECTS credits.
- b) Special type of preparatory part for foreign students without knowledge of Croatian and/or for students lacking psychophysical abilities to attend classes consisting of scientific research having sixty (60) ECTS credits.

Purpose of taught courses and independent research is for the student to acquire knowledge and skills required to resolve issues in the field of legal science by writing a scientific paper, i.e. doctoral thesis.

General type of research and taught courses includes:

- a) six (6) subjects of which at least one in Methodology of legal science; each subject having five (5) ECTS credits including the following:
  - active participation in taught classes of each subject (30-45 hours of classes in 15-30 sessions and individual classes of five (5) hours in at least five sessions; if there are no classes (for a group of students) than individual class of ten (10) hours in at least 5 sessions;
  - preparation and performing of one to two (1-2) sessions covering material other than the one dealt with in the students' seminar papers (or if there are no group classes sessions in related subjects or in preparation of seminar communication different from seminar papers);
  - exam (in the respective subject).
- b) three (3) seminar papers of which one in Methodology of legal science; one under mentor's of co-mentor's supervision and one under the supervision of academic staff other than mentor and co-mentor; each seminar paper in total value of ten (10) ECTS credits including consultations for preparation of seminar papers in the duration of ten (10) hours per seminar paper in at least 5 sessions. Such consultations are not only compulsory but also the precondition for submitting the seminar paper. However, they do not include ECTS credits.

Special type of research and taught courses includes:

- one (1) exam in Methodology of legal science with compulsory consultations for exam preparation in the duration of ten (10) hours and with the total value of five (5) ECTS credits,
- doctoral examination with the view of determining knowledge and capabilities required to write doctoral thesis on a given research topic with compulsory consultations to prepare examination in the duration of (50) hours in at least 25 sessions.

The research part consists of:

- writing and defending prospectus (ten (10) ECTS credits);
- writing and defending doctoral thesis (eighty (80) ECTS credits);
- writing at least one scientific paper and its communication at an international scientific conference and publishing the paper in an internationally renowned publication (journal or conference proceedings) in the value of at least ten (10) ECTS credits;
- students who completed the preparatory part of doctoral studies under the special type must write at least three (3) papers from the preceding item during the research part;
- co-operation in the mentor's scientific research and in other research projects.



The joint part of Doctoral Studies consists of two parts: classes and scientific research (hereinafter: joint part) and includes participation in a doctoral conference at which students defend seminar papers, prospectus and their thesis and discuss other important research issues in front of guest lecturers.

The purpose of a study visit at an internationally renowned research institution for legal science abroad is to gain experience in advanced legal science and legal culture in the duration from one semester (at least four months) to four semesters in the value of twenty (20) ECTS credits.

All study contents of study visits at foreign institutions are equal to study contents of research-scientific part of this programme.

### **Pace of study and student's obligations**

Candidates whose application is admitted may enrol in doctoral studies within the deadline stipulated by the final decision on tender implementation.

Enrolment after the set deadline may be approved by the Dean upon a special request after all other deadlines have passed provided there are openings.

Candidates enrol doctoral studies in compliance with the final decision on the enrolment tender implementation.

Student status is acquired by enrolment in doctoral studies.

Full-time students study under the full-time programme.

Associates at the Faculty or the University or at other higher education institutions or research institutions (assistants, research assistants and other associates) whose only or primary obligation (accounting for > 80% of their full working time) is to complete postgraduate doctoral studies enrol as full-time students (hereinafter research associates).

Part-time students study under the part-time programme (in addition to their work or other activities that require special study programmes).

Associates at the Faculty or the University or at other higher education institutions or research institutions (assistants, research assistants and other associates) whose employment obligations include participation in research other than research for student papers (seminar papers, thesis and the like) and/or participation in teaching and/or judicial traineeship and passing the bar examination which amounts to 40 % or more of their working time enrol as part-time students (hereinafter: teaching associates).

Faculty's teaching associates have all rights and obligations of full-time students which are guaranteed to all full-time students of postgraduate doctoral studies who are associates at higher-education institutions (in particular the right to financial support for study costs) under the laws of the Republic of Croatia, the University or of the Faculty.

Full-time students who have fulfilled all their obligations form the first semester may, at enrolment in the second semester change and amend the Decision on enrolment in the framework of the final decision on implementation of enrolment tender, study programme and the current curriculum plan.

Part-time students who have fulfilled all their obligations may at enrolment in the next semester change and amend the Decision on enrolment in the framework of the final decision on implementation of enrolment tender, study programme and the current curriculum plan.

Students may change their status from a full-time to a part-time student or vice versa at enrolment in the next study year or in case of employment change or loss the students may change their status upon submitting adequate documents at the beginning of the summer semester.

Students may suspend their studies on the grounds of general or compelling circumstances as determined under this programme (to attend and complete full-time postgraduate studies in law at a renowned foreign university for a minimum period of one semester to the maximum period of four semesters and earn 30 ECTS credits per semester).

The period of suspension will not be included in the student's study duration.

Full-time students shall be revoked their student rights unless they meet the above requirements or if their student status has expired because of reasons determined by the Law, the Statute or by other acts of the University or the Faculty.

### **Compulsory and elective activities**

Student has the right and obligation to enrol and complete courses in the value of 180 ECTS credits.

Student has the right and obligation to enrol and complete in the research and classes part of doctoral studies:

- a) as core subject Methodology of legal science in the value of 5 ECTS credits as follows:
  - if the student studies under the general type of preparatory part the student has the right to choose one of the elective subjects offered under the study programme;
  - if the student studies under the special type of preparatory part as an exam with consultations to prepare the exam and in accordance with the examination programme, i.e. with literature stipulated by the Doctoral Study Council upon a joint proposal by all academic staff who teach the core subject methodology of legal science.
- b) As elective subject, if approved by the mentor and Doctoral Study Council or Enrolment Committee;



- if the student studies under the general type of preparatory part five elective subjects each having 5 ECTS credits;
- if the student studies under the special type of preparatory part, doctoral examination, including consultations for exam preparation in total value of 25 ECTS credits and
- as an elective subject, if approved by the mentor and Enrolment Committee or the Doctoral Studies Council three (3) seminar papers including consultations having 10 ECTS credits each.

This study programme differs from other related graduate law study programmes because of the following reasons:

- a) as a rule each subject programme consists of
  - introductory literature intended for students who have not completed such subjects in the course of their graduate studies;
  - advanced literature for students who have already taken the respective subject in the course of their graduate studies;
  - students nevertheless need to be familiar with 1/3 of the introductory literature,
- a) enclosed to the student's enrolment application should be a list of seminar paper topics as well as their final paper topic (diploma paper) and a copy of the final paper (from graduate studies in law or from related fields such as political science, economics, sociology, history and the like).

Students who completed the general type of preparatory part have in the scientific research part:

- a) the right and obligation to write, submit and defend under the supervision and prior assessment of the mentor:
  - prospectus (proposal for doctoral topic) different from the topic determined by the student's personal development plan in the value of 10 ECTS credits and
  - doctoral thesis in the value of 80 ECTS credits.
- b) write one paper on a part of the doctoral thesis topic as agreed with the mentor, which can, in turn, form part of the thesis and a paper under the co-authorship of student and mentor and present it as communication at an international scientific conference and publish it as a scientific paper in an international scientific publication (in conference proceedings or in a journal) (a1) as agreed with the mentor, in the value of 10 ECTS credits, with a remark that the original version has been published in co-authorship with the mentor.

In addition to the above obligations students who complete the special type of preparatory part must in the scientific research study part write under their mentor's supervision and on topics of their own choice (which can be part of their doctoral thesis as single author with due acknowledgement of the mentor's supervision) two scientific papers in an international scientific publication (a1) (each having 10 ECTS credits). Students may include such papers in their doctoral thesis under a remark that the original version has been published in a given publication.

Students may also write scientific papers under supervisors other than their mentor, based on seminar papers written and defended under the supervisor in question. Such papers may be presented as communication at an international conference and/or published in co-authorship (student and supervisor) in an international publication chosen by the supervisor. Students may include such papers in their doctoral thesis under a remark that the original version has been published in the publication in question.

Students who completed the general type of preparatory part have the right and obligation to find a University or other research scientific institutions abroad with the assistance of their mentor suitable for their study visit for a minimum period of at least one semester (at least four months) to a maximum of four semesters. In addition, students may structure their visits according to their wishes (semesters and/or several summer courses and/or scientific research) in the value of 20 ECTS credits (summer courses do not bring ECTS credits and/or independent scientific research in total duration of four months).

### *3.3.1. Enrolment requirements for the next semester or trimester (course title)*

#### **Students may enrol in the second year of doctoral studies if they:**

- attended classes in and passed the core subject Methodology of legal science
- attended classes in and passed 4 subjects
- wrote 1 seminar paper in Methodology of legal science and 2 seminar papers in elective courses offered in the first year

#### **Students may enrol in the third year if they:**

- attended consultations for the preparation of doctoral examination
- wrote at least one scientific paper (presented it as communication at an international conference and published in an international scientific publication, i.e. a journal or conference proceedings in the value of ten (10) ECTS credits;
- wrote and defended their prospectus.



### 3.4. List of courses and/or modules student can choose from other study programmes

Students may take subjects in the framework of other postgraduate programmes in agreement with the mentor and the Doctoral Studies Council.

### 3.5. List of courses and/or modules that can be implemented in a foreign language (specify the language)

Classes and other scientific research and administrative activities of the academic staff and students participating in doctoral studies are performed in Croatian.

Related languages, i.e. official languages in Bosnia and Herzegovina, Montenegro or Serbia are deemed equal to Croatian language unless otherwise agreed.

Additional languages of doctoral studies: English, German, Italian and French.

If the study programme provides for the entire programme or part of the programme to be performed in a foreign language, students may:

- enrol doctoral studies and write and defend their thesis;
- apply for and defend the prospectus, write and defend doctoral thesis and receive assessment of the proposal and thesis;
- individual parts of the Study programme (subject including participation in class, exam in the subject in question; seminar for the preparation of the seminar paper and seminar paper; seminar for the preparation of exams, the exam and the like);
- in one of the above additional languages.

Each session of classes (lecture, seminar etc.) can be held in an additional language without translation into Croatian, whereas classes can be held in any foreign language if translation (simultaneous, consecutive interpretation) is provided.

Sessions of individual classes (e.g. consultations for preparation of exams or consultation for a seminar paper) may be held in an additional language, in which the student is proficient (as indicated at enrolment by the student).

The student may perform class (hold classes or write and defend seminars) in an additional language of the doctoral studies, in agreement with the respective academic staff member.

Student who didn't attend consultations for preparing seminar papers may write and defend his seminar paper in an additional language provided this is approved by the seminar holder and the Doctoral Studies Council.

Study visits should be spent at research institutions abroad where the students as a rule use one or more additional languages of doctoral studies and not Croatian.

### 3.6. Allocated ECTS credits that enable national and international mobility

For subjects taken under other postgraduate study programmes at this or at other Universities student will receive the amount of ECTS credits allocated to the subject in question at other institutions.

### 3.7. Multidisciplinarity/interdisciplinarity of study programme

The organisation and structure of the proposed study programme goes beyond the field of legal science providing for interdisciplinarity. The programme may include contents of other social sciences, e.g. political science, sociology, economics and of the humanities, biomedicine etc.

This enables cooperation with other postgraduate studies performed at this University and at other Universities in the Republic of Croatia and abroad in forms complying to the common interest.

Furthermore, the doctoral studies programme enables and enhances the cooperation between the Faculty and the business sector as well as the public sector (Ministry of Justice, Ministry of Foreign Affairs and European Integration, Ministry of Finance, Ministry of the Sea, Tourism, Traffic and Development, Central State Administrative Office) by a particular structure and organization of doctoral research.

### 3.8. Mode of study programme completion

The Studies are completed by oral defence of the thesis.

Doctoral thesis is an original and independent scientific paper according to its methodology and the scientific contribution adequate for determining the student's ability to be an independent researcher in science.

Doctoral thesis corresponds to a scientific monograph.

Prospectus application includes the following:

1. Title of thesis; the title should point out the theoretical problem of the thesis and may indicate the practical problems.

2. Overview of the current state and core issues of the scientific field of the research topic including:

- identifying the theoretical problem of the thesis, i.e. the central issue which is regulated below satisfactory in legal





science and/or other fields or subfields of legal science (e.g. insufficient knowledge of court decisions on peril as an element of civil liability; insufficient knowledge of the relation between descriptive and prescriptive in Luhmann's theory; or because of the fact that the accepted cognition is false);

- indicating the importance of the theoretical issue, i.e. the shortcomings in legal science and/or other fields or subfields of legal science related to the given theoretical issue (insufficient knowledge of court decisions on peril as an element of civil liability hinders the systematization of tort law; predominant interpretation of Luhmann's theory which hinders its application in the history of law);
- indicating the practical importance of the theoretical issue, i.e. the shortcomings in the legal order and/or in a certain field of law related to the theoretical issue (e.g. insufficient knowledge of peril as an element of liability that renders foreseeable adjudication in tort law cases impossible; the dominant interpretation of the Luhmann theory, according to which there is no difference between description and prescription, wherefore, the courts have to (and not should) resolve disputes brought before them, hinders the application of Luhmann's theory on regulation of the prohibition of rights to deny a right and the judiciary);
- referring to scientific literature and its short analysis and assessment supporting the view that the existing literature does not resolve the issue; if the thesis is generally theoretical and its main research problem viewpoints and findings of other authors, the introductory overviews and assessment of literature can be very short since the main part of the thesis deals with the former thoroughly.
- purpose, objectives and research, i.e. determining the deficient aspect of legal science and/or its field that will be corrected i.e. improved by this research and determining which part will not be corrected by this research;
- elaboration of working thesis and doctoral thesis, i.e. of findings and insights that might fill in the existing gaps or replace existing insights in the legal science and/or its fields.
- methodology applied in the doctoral thesis; legal-dogmatic and/or other methods for analysing data (e.g. normative, causal, functional etc) and especially sources of law (Croatian, foreign, international; laws, agreements and treaties, customs, judgements and the like; data bases).
- thesis contents: each chapter and part;
- expected scientific contribution of the doctoral thesis; i.e. indicating which chapters/parts of the thesis will have characteristics of scientific papers (original, review, preliminary communication) or professional paper;
- implementation of research results in resolving practical problems of the doctoral thesis (legislative, administrative, judicial, business etc.);
- list of legal and scientific and other sources used in the thesis.

Doctoral thesis is an original scientific paper. It includes the thesis application.

If at least 1/3 (one third) of the thesis is original and has not been published elsewhere, the thesis may include the following unchanged texts:

- master's thesis written in order to obtain the master's degree or *magistar struke* degree or other theses provided such theses do not account for more than 1/3 (one third) of the doctoral thesis' text;
- student's seminar papers, including those published as scientific paper, provided such papers do not account for more than 1/3 (one third) of the thesis' text;
- published scientific papers written in co-authorship (by student and mentor) provided such papers do not account for more than 1/3 (one third) of the doctoral thesis' text and
- published scientific papers written by the student and two other doctoral students provided such papers do not account for more than 1/3 (one third) of the doctoral thesis' text and are not included in theses or papers of other students.

Student submits and defends the prospectus and the thesis. Record is kept of the submission, assessment and the defence of the prospectus, as well as of the thesis.

Thesis is written in Croatian. It may be written in one of the additional languages if this is approved by the mentor and the Doctoral Studies Council.

If the thesis is written in a language other than Croatian, and the author has not completed higher or middle education in the respective language, the thesis must be proofread by a lector for the language in question (the lector must hold a university language degree).

Requirements needed to continue studies for students who left their studies or who were revoked their right to study

Full-time students who fail to complete their studies in six years since the enrolment date shall be revoked their right to study.

Part-time students who fail to complete their studies in ten years since the enrolment date shall be revoked their right to finish the study programme.



Students shall be revoked their doctoral student status when the Dean, i.e. the Faculty Council accepts the mentor's negative report on the student.

Students shall be revoked their doctoral student status when the Dean, i.e. the Faculty Council decides to suspend the procedure for obtaining doctoral degree.

If students violate obligations under their employment conditions (dismissal based on student's behaviour) or if they violate the Code of Ethics they shall be revoked their part-time doctoral student status.

Upon a reasoned written request made by the student who left the study programme the Doctoral Studies Council may allow that student to continue his studies if he left due to justified reasons. In that case the student must fulfil his obligations under the programme applied at the time of approval of continued studies.

### **Requirements for a certificate of completion of a part of the doctoral study programme as life-long education**

Students who complete their studies only partially may receive a certificate of completion for the completed part of the study programme as part of life-long education. Such certificate is issued upon the student's request and includes information on passed exams and achieved results together with ECTS credits and grades.

### **Requirements for obtaining the doctoral degree by enrolment in doctoral studies and by writing the thesis without having attended classes**

Pursuant to Art. 73 (3) of the Act and Art. 117 (5) of the University Statute a person whose research and scientific achievements meet the requirements for the qualification of scientific researcher is entitled to submit a request to be awarded the title of doctor of science irrespective of the public tender for enrolment in the Study programme and without having attended classes and passed exams.

This request should be submitted in the form determined by the University and must include the prospectus application with an elaboration, a resume, nationality data and a list of scientific papers and professional accomplishments.

Pursuant to the University Regulations (the Senate) the competent University body accepts the above request by virtue of the enrolment committee's opinion and the Faculty Council's proposal.

If the competent University body accepts the request the applicant is entitled to:

- submit and defend the prospectus in accordance with this programme within one year following the acceptance of his request
- submit his thesis for assessment and defend it in accordance with this programme within three years following the acceptance of his request.

#### *3.8.1. Conditions of approval of final work /thesis and/or final/thesis exam application*

- Passed exams
- Submitted seminars
- Study visits

#### *3.8.2. Composing and furnishing of final work/thesis*

Studies Regulations at the University of Rijeka regulate matters concerning doctoral thesis (writing and structure of thesis etc.).

#### *3.8.3. Final work/thesis assessment procedure and evaluation and defense of final work/thesis*

Doctoral thesis is defended before a three-member Committee for thesis assessment consisting of experts in the respective research field. While the mentor may be one of the Committee members, he cannot preside over the Committee.