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Faculty of Law

Report of the research assessment 2016-2021 Site visit 30 October - 1 November 2022

> Utrecht, The Netherlands December 2022 www.AeQui.nl Assessment Agency for Higher Education



Colophon

Research Unit Maastricht University Faculty of Law

Committee

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The committee was appointed by the Executive Board of Maastricht University The reporting was conducted under responsibility of AeQui Nederland PO Box 5050 3502 JB Utrecht The Netherlands www.AeQui.nl

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Summary

On 30 October - 1 November 2022 an assessment committee, appointed by the Executive Board of Maastricht University, visited the Faculty of Law at Maastricht University to assess the quality of its research. The committee judges that the research is **very good**.

Aims and strategy

The Faculty has formulated the following strategic aims:

- Create a vibrant and open research culture that is conducive to high quality research;
- Create an environment that is conducive to attracting and keeping talent;
- Invest in the future generation: the Maastricht Graduate School of Law;
- A healthy approach to external funding;
- Attention for research integrity;
- A strong connection between research and education;
- Open Science: increasing societal impact, accessibility and visibility.

The committee considers that these strategic aims are coherent and express the Faculty's ambition to conduct excellent and socially relevant research in a strong community of scholars. For each strategic aim, suitable policies and measures have been developed for implementation.

Research quality

The committee considers that the research of the Faculty of Law contributes to legal scholarship and clearly meets the quality criteria at national and international level. The bottom-up and curiosity-driven approach leads to a vibrant research community. Coherence is maintained by interaction in and between the research institutes and groups and by the overarching pillars of the Faculty's research programme. The replacement of pillars by streams in the revised research programme emphasises the fluid connections between researchers and their fields. Faculty members generally agree on what counts as good or excellent research, but the committee recommends defining more explicit quality indicators, in order to avoid inequality and uncertainty about the standards used in assessment and promotion.

Academic culture

The academic culture is visible in the autonomy, independence, openness, collegiality and sense of community of researchers. Much attention is paid to the well-being of staff. Communication from the leadership is mainly person-based, which suited the previous size of the Faculty. However, the currently larger community asks for a different approach, with more steering and more clarity in communication. Research integrity and ethics are high on the agenda and are underpinned by appropriate procedures and facilities.

PhD policy and training

PhD policy and training are well-developed. The Graduate School plays an important role in selection, supervision, monitoring, training and wellbeing of the PhD candidates. The Faculty introduced a screening procedure for external PhD candidates, with the aim to decrease the relatively high drop-out rates of this group. The committee recommends monitoring the progress of the newly admitted external PhD candidates to establish if the screening procedure meets the expectations. It would be helpful for scholarship PhD candidates to know in advance what they can expect of the research environment, in particular with respect to the office space.

Societal relevance

The committee considers that the Faculty creates serious social impact through commissioned research and collaborations with societal partners, including endowed chairs. The committee appreciates that societal relevance is valued and promoted, but not in a coercive way. The contentdriven approach, with soft steering, is effective and leads to engaging results. In the overall picture, it is the team effort that counts, so not every individual researcher is asked to participate,



which is consistent with the Recognition & Rewards policy. An increase of interdisciplinary research and the option, currently promoted more actively, for article-based PhD graduations, can enhance the social impact even more. In order to boost this interdisciplinary research, the committee recommends further facilitating connections between institutes as well as with other Faculties. The research-teaching nexus is strong. It is visible in the form of handbooks, in the post-academic professional education and in the many examples of research feeding into bachelor and master teaching. It would, however, not be required to have a very strong connection of research and teaching in every course.

Open Science

Researchers in leadership positions are aware of the University's Open Science policy and instruments. Groups and institutes who work a lot with data are already very much in tune with its standards. The Faculty Board goes along with the initiatives at university level and has put in place relevant practical arrangements, such as the Open Access Book Fund and a data steward. The next step is implementing the policy across the Faculty. Communication to involve all researchers is important in this regard.

Viability

The committee considers that the focus of the Faculty's research programme is in tune with academic and societal developments and, therefore, substantively viable. The large number of institutes and groups looks confusing at first, but seems to work and does not seem to create problems. Maintaining critical mass and not spreading researchers too thin should, however, be on the agenda. The committee advises conducting a periodical review to check the viability, taking into account logical reasons for stopping or merging institutes and groups, and taking advice from the Science Committee. The committee also advises clarifying the mission and reviewing the composition of the Science Committee itself. Grant writing is facilitated in various helpful ways, but individual success in funding competitions is disconnected from promotions, which is commendable. Institutes and groups make their own choices, while individual choices are discussed with the institute director and head of department in the annual assessments.

Human Resources Policy

The Faculty emphasises equality, diversity and inclusion and the overview of staff shows that there is diversity relating to gender, age, (inter)national backgrounds, and (inter)disciplinary approaches to law. The Faculty has a well-developed Human Resources (HR) policy, taking the well-being of its employees seriously and stimulating researchers to work on what they are best at. This tailor-made approach is positive, but more explicit assessment criteria and communication about career possibilities in the Faculty are advisable to avoid inequality and uncertainty about the standards used. Another point of attention is the work pressure due to demanding teaching tasks, especially for younger staff. The Faculty Board intends to compensate for the extra teaching time at a later stage, but this has not (yet) been communicated sufficiently. The committee advises monitoring the workload and the effectiveness of the measures that are taken.

Recommendations

Overall, the Committee has a very positive impression of the Faculty's aims, strategies and dayto-day functioning, the success of which is underscored by the vibrant and enthusiastic community and collegiality within that community.

There is nonetheless room for improvement. In order to bring the research to an even higher level of quality in the future, the committee issues the following recommendations:

- Formulate more explicit assessment criteria of what is considered good research;
- Strengthen the interdisciplinary approach even more by facilitating connections between the institutes and with other Faculties;
- Conduct a periodical review to check the viability of the number of research institutes and groups;

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- Clarify the mission and review the composition of the Science Committee;
- Invest in open and clear communication from the leadership about different policies (e.g. promotion criteria, Open Science, workload);
- Monitor the progress of the newly admitted external PhD candidates in light of the new screening procedure to bring down drop-out rates;
- Check whether all assistant professors who want to supervise PhD candidates are provided with opportunities to act as a co-supervisor;
- Communicate more clearly to scholarship PhD candidates what they can expect of the research environment;
- Monitor the workload of (younger) staff and the effectiveness of the measures that are taken to address it.

All criteria of the Strategy Evaluation Protocol are assessed positively.

On behalf of the entire assessment committee, Utrecht, December 2022

Elaine Mak Chair Marianne van der Weiden Secretary



Introduction

This report describes the outcome of the research evaluation of the Faculty of Law of Maastricht University on 31 October and 1 November 2022.

The institute

Maastricht University is a relatively young university (founded in 1976) with nearly 22,000 students and nearly 5,000 employees. More than half of the student population and almost half of the academic staff come from abroad. Together, they represent more than 100 different nationalities. The university distinguishes itself with its innovative education model, international character and multidisciplinary approach to research and education.

The research unit

The Faculty of Law was created in 1981. Currently, over 3,400 students (including over 1000 master's students) are enrolled in Faculty of Law programmes. The Faculty has around 225 FTE academic staff, including 75 PhD candidates, plus 126 external PhD researchers. It offers three bachelor's programmes, four master programmes taught in Dutch, six master's programmes taught in English, as well as two advanced master's programmes. The Faculty also significantly contributes to the bachelor's law programmes at Hasselt University, Belgium, as well as the bachelor's programmes of European Studies (Faculty of Arts and Social Sciences) and University College (Faculty of Science and Engineering) and the interfaculty bachelor Global Studies. Education at the Faculty has an international outlook: all bachelor's and master's programmes devote ample attention to European and international law, as well as to comparative law. The international profile is also reflected in the composition of the student and staff bodies: currently, 54% of the students and 53% of academic staff (including PhD researchers) are non-Dutch. Given this international character, the Faculty uses both English and Dutch in its teaching and research.

Research is closely connected with education, and the same international profile is hence visible in the research conducted at the Faculty, with its special attention to Europeanisation, globalisation and digitisation, from a European, international and comparative law perspective. This profile is reflected in the Faculty-wide research programme Integration of and Interaction Between Legal Orders (2016-2021) covering the period under review. Research under the Faculty programme is centred on the role of law in increasingly Europeanised and globalised societies and examines institutional and substantive developments in the processes of Europeanisation and globalisation as well as the changing role of the national legal order therein.

The Faculty research programme originally consisted of four so-called pillars within which researchers from different traditional fields of law work together on the following themes: Global Justice, Institutional Transformations, Globalising Markets, Cross-Border Cooperation and Mobility. In 2019, a fifth pillar on Law and Technology was added.

The Faculty research programme is mainly implemented in the nine research institutes and three research groups. Each addresses (some of the) challenges set out in the programme from its own specific perspective and expertise. The institutes and groups form the day-to-day 'academic home' of researchers.

The institutes are (in alphabetical order):

- Institute for Corporate Law, Governance and Innovation Policies (ICGI);
- Institute for Globalisation and International Regulation (IGIR);
- Maastricht Centre for European Law (MCEL);
- Maastricht Centre for Human Rights (MCfHR);



- Maastricht Centre for Taxation (MCT);
- Maastricht European Private Law Institute (M-EPLI);
- Maastricht Institute for Transnational Legal Research (METRO);
- Maastricht Institute for Criminal Sciences (MICS);
- Maastricht Montesquieu Institute (MMI).

In addition, three overarching and thematic research groups have been created with internal and external funding:

- Institute for Transnational and Euregional Cross-Border Cooperation and Mobility (ITEM);
- Globalisation and Law Network (GLaw-Net);
- Law and Tech Lab.

ITEM was established in 2015 in the context and with funding of regional parties to stimulate the Limburg knowledge axis. GLaw-Net and the Law and Tech Lab were launched with the additional support from the 2018 Social Sciences and Humanities Sectorplan.

The assessment

The assessment committee was established by the UM Executive Board. The Executive Board commissioned Aequi to provide the secretary and deliver the report. A preparatory meeting with representatives of the research unit was held to exchange information and plan the date and programme of the site visit.

In the run-up to the site visit, the assessment committee has studied the self-evaluation report of the research unit and reviewed a sample of research products. The findings served as input for discussions during the site visit.

The site visit was carried out on 31 October and 1 November 2022 according to the programme presented in attachment 2. Loïc Azoulai was not able to be physically present during these days. He provided written input and his questions were handled by the other committee members.

The committee has assessed the research unit in an independent manner; at the end of the visit, the chair of the assessment committee presented the initial findings of the committee to representatives of the research unit and the institution.

In this document, the committee is reporting on its findings, considerations and conclusions according to the Strategy Evaluation Protocol 2021-2027. A draft version of the report was sent to the management; its reactions have led to this final version of the report.



Aims and strategy

Research profile

The research unit's profile is laid down in the Faculty's research programme. For the period under review this was the research programme Integration of and Interaction Between Legal Orders 2016-2021. As mentioned in the introduction, the programme is based on five pillars which emphasise various aspects of integration and interaction and include these issues in relation to substantive. and procedural law: (1) Global justice, (2) Institutional transformations, (3) Globalising markets, (4) Cross-border cooperation and mobility, (5) Law and technology. It is implemented in nine research institutes and three research groups. For the next six-year period (2022-2027), a new research programme has been drawn up: Dynamics between Legal Orders. The overall aims and strategy have remained the same. The revised programme expresses the overall themes in streams instead of pillars, because pillars seem rather static and self-contained, while streams better express the ongoing changes and interconnections.

Strategic aims and strategy

The Faculty has formulated the following strategic aims:

- Create a vibrant and open research culture that is conducive to high quality research;
- Create an environment that is conducive to attracting and keeping talent;
- Invest in the future generation: the Maastricht Graduate School of Law;
- A healthy approach to external funding;
- Attention for research integrity;
- A strong connection between research and education;
- Open Science: increasing societal impact, accessibility and visibility.

The research institutes and groups play an important role in creating the envisaged vibrant and open research culture. They are the 'academic home' where researchers exchange ideas through internal and external research events. The Faculty supports these events financially and through the research support office. The housing plan, the Common Room and research meetings at Faculty level stimulate the exchange between researchers of the different institutes and groups. The Faculty strongly believes that a bottom-up culture is the best way to feed academic creativity and foster curiosity-driven research. Yet, it is aware of the risk of fragmentation and compartmentalisation of the institutes and, therefore, uses some steering to encourage collaboration across fields of law and institutes, e.g. by providing funding for collaborative projects.

The Faculty aims to produce high-quality research. There is consensus that this should not be measured in quantitative metrics and, implicitly, Faculty members have a shared idea of what constitutes good research and a good researcher. No uniform quality standards have been formulated. Each researcher's work is assessed in a tailormade fashion, on the basis of a personal development plan, and taking into account characteristics of their research field and the researcher's teaching tasks and managerial duties, in line with the Recognition and Rewards programme. The Faculty Research Fund is used to stimulate new research ideas.

The ability to attract and retain talented researchers is considered the Faculty's competitive advantage. The Faculty aims, therefore, to be a good employer for a balanced and diverse workforce. 80% of staff should have permanent contracts. Work should be done in teams as much as possible, with a close link between research and teaching. To keep the workload acceptable, much attention has been given to reducing teaching tasks. Criteria for permanent appointment and promotion have been made more transparent. The Human Resources policy is under revision and will establish alternative career paths and provide more clarity about what is expected of staff members in the fields of teaching, research,



leadership, creating impact and academic citizenship. The importance of well-being is on the agenda: it is part of all annual interviews, and training is organised for line managers to deal with mental health issues in their teams.

The Maastricht Graduate School of Law aims to offer a stimulating environment for legal research. It offers training to PhD candidates and students of the Master's Honours Research Track. Most PhD candidates are also members of other research schools, such as the lus Commune Research School or the Netherlands Network for Human Rights Research. The Faculty has been able to finance three to five PhD positions per year (internal PhD candidates). Potential supervisors and the Science Committee play a role in the selection procedure, also for scholarship PhD candidates and external PhD candidates. Supervision and quality assurance are shared between the supervisors and the Graduate School. An independent reviewer, often coming from a different institute, monitors a resident PhD candidate's progress. Supervision is based on a Code of Conduct, supervisors receive training and attend peer review sessions. The Graduate School fosters a welcoming and safe environment, with attention to the candidates' well-being. The PhD representatives themselves organise a range of activities as well.

The Faculty has changed its policy for external funding. Acquiring external funding is no longer a condition for promotion. External funding should only be sought when it matches the research line and profile of the researcher, institute or Faculty and is likely to create academic or societal impact. Researchers make independent choices in this respect. The grant advisor and the contract research consultant provide support to researchers who want to prepare a submission and a training programme for individual grants is offered to young researchers. A new research funding advisor was appointed in 2021.

Academic integrity is high on the agenda in Faculty-wide research meetings and the PhD training programme. The Similarity Check Service of the library helps researchers to prevent sloppy referencing or plagiarism in academic papers. The University of Maastricht (UM) has established a Platform for Research Ethics and Integrity to stimulate the debate on research ethics. In case of questions or complaints, the University's counsellors on scientific integrity are the primary contact persons. PhD candidates can also contact the confidential advisor of the Faculty before contacting the UM counsellors. The Faculty participates in the Ethics Review Committee Inner City faculties (ERCIC) for research involving human participants or personally identifiable data.

Each member of the academic staff has both teaching and research tasks. The actual percentages may fluctuate between researchers and over time. Teaching tasks are allocated by the heads of department and the teaching coordinators of each department. Teaching materials are updated annually to ensure that research output finds its way into teaching. Several scholars of the Faculty have written textbooks that are also used in other universities in the Netherlands and beyond. Talented and motivated students can participate in the Honours programmes and thus be introduced to research at an early stage. The Faculty also provides research-based professional teaching.

The Faculty considers creating impact to be a team effort, which entails that it is not necessarily expected from each individual researcher. PhD candidates include an 'impact paragraph' in their thesis. Most institutes, supported by a research communication officer, translate their research in policy briefs or publications for larger audiences. The Faculty publishes annual reports and a blog, Law Blogs Maastricht. LAW.next offers post academic education. The Faculty embraces the concept of Open Access, drawing on initiatives at the UM level, creating awareness at Faculty level and supporting Open Access publications. FAIR data management is equally supported.

The committee considers that the strategic aims are coherent and express the Faculty's ambition



to conduct excellent and socially relevant research in a strong community of scholars. In the next chapters, the committee will comment on the implementation of these strategic aims in relation to the SEP standards.

Research Quality

Findings

On the basis of the data provided the committee is convinced of the Faculty's overall research quality. The key publications and key achievements of the research institutes and groups meet high academic standards. The Faculty encompasses a large number of scholars who are recognised as leaders in their fields as well as a large number of talented young scholars, whose work has already been recognised through prizes and grants. The research is impressive in scope and breadth, focusing on Europeanisation, globalisation and digitisation. Despite the pandemic, the output in various outlets has remained high. The committee notes some innovative research projects taking interdisciplinary and multidisciplinary approaches and developing new methodologies for studying and using law (e.g. Law and Tech Lab). The bottom-up approach and curiosity-driven research evidently lead to a diversity of themes and topics being addressed by using diverse methodologies. While the Faculty is well-known for its European and international approach, it seems less confident about its contribution to Dutch law and its position in the domestic legal debate. The committee notices, however, an emerging focus on Dutch law, in line with the revision of the Bachelor Dutch Law and the related hiring of new academic staff. In line with the bottom-up and curiositydriven approach to research, these new staff members are given space to initiate research on Dutch law. The committee certainly considers the Faculty's contribution in this field sufficient.

The two Sector Plan groups make strong contributions to the Faculty's research: the Law and Tech Lab as a cutting-edge innovative group with critical mass, GLaw-Net as a well-directed orchestra bringing together the strengths of longerstanding institutes in current debates relating to research on globalisation. Researchers who joined one of these groups, in addition to their membership of an institute, may list their publications with both the group and the institute. The committee considers this a sensible approach, as it leads to more visibility of these newer fields of research.

In earlier assessments, questions were raised about the quality indicators used to evaluate research. The committee agrees with the Faculty's choice not to use quantitative metrics to assess the quality of the research it produces. However, the current approach, leaving the quality assessment to the individual managers in the various research units, may be part of a 'pluralistic approach', but it may also lead to inequality and uncertainty about the standards used. The committee recommends formulating at least some categories that encompass what good research is (e.g. originality, appropriate methodology, relevance in the field, quality of reasoning). The Science Committee, which currently has a somewhat unclear mission, could play a leading role in this respect.

The transition from the 2016-2021 research programme (Integration of and Interaction between Legal Orders) to the new research programme (Dynamics between Legal Orders, 2022-2027) fits the Faculty's content-driven and fluid approach; the change is an evolution rather than a revolution, based on a bottom-up drafting process with input from all levels, including young researchers. The approach of defining streams instead of pillars fits the Faculty's character and structure and emphasises its fluid approach. Substantively, the new programme meets current debates and topics and acknowledges that globalisation involves not only integration, but also disintegration. The pillars and streams are part of a three-dimensional presentation of the Faculty's research: (1) departments integrate the staff's research and teaching and have a role in the Human Resources (HR) policy; (2) research institutes and groups provide coherence internally by bringing together researchers who share a discipline and thematic focus, and increase external visibility; (3) pillars



and streams connect the institutes and groups to the broader umbrella of the Faculty's research, make them aware of their common ground and help to present an overarching narrative. The committee recognises this structure as an adequate picture of a faculty in motion and praises the Faculty for its continuous reflection on its overarching research themes.

The committee acknowledges the role of institutes and groups to promote interaction and provide coherence. They are places where people discuss their own research and take initiatives to cooperate on studies that span multiple (sub)fields of law. Most researchers will discuss and present a significant part of their work in progress, which ensures a continuous internal peer review. An important role remains for the directors as key figures in bringing researchers together and initiating projects. They involve younger staff through presentations and events. The committee notes that the role of institutes as academic homes is more obvious for researchers whose department overlaps with an institute, more so than for e.g. researchers in the field of legal theory, not having its own institute. Researchers are free to decide about the research unit they want to be part of, based on the research they are working on, in line with the curiosity-driven and bottom-up approach. As a consequence, they may be connected to more than one institute and group, or to none at all. During the site visit, the committee met with researchers in both categories. The committee advises the Faculty to be aware of the risk of researchers being spread thin over several institutes and groups and take this into account if the establishment of a new institute or group is considered. For researchers who are not (yet) connected to a research institute, the committee considers the role of the department head and line manager to be important in ensuring that these researchers do not feel isolated.

Academic culture

The academic culture of the Faculty is based on four core values: community, innovation and profile, inclusivity, and learning. The Faculty's motto 'aptitude without attitude' underpins a strategy aimed at the conduct of research in an atmosphere of mutual respect and transparency. In the meetings during the site visit, the committee recognised the positive characteristics of the Faculty: autonomy, independence, openness, collegiality and sense of community. The collegiality among academic staff is strong. This is to be cherished. The committee agrees with the Faculty that intensive contact between staff leads to stronger intercultural and intercollegiate skills, which is considered an important aspect. It is commendable that the Faculty is developing a mental health policy, aimed at stimulating culture changes (e.g. mailfree periods), and training line managers on how to address mental health issues in their teams.

At the same time, it became apparent in the various meetings that the growth of the Faculty necessitates a transition from an organisation that is - again to its strength - based on personal relationships, to a more structured organisation with clear roles on everyone's roles and positions and more formality in some respects. Personal relationships between leadership and (young) researchers are a strength, but working with a larger community asks for a different approach, with more steering and especially more clarity in communication. It is important to invest in communication from the leadership about different policies, on topics ranging from HR to Open Science and whom to contact in cases regarding a safe research environment (especially the counsellors at UM level). The need for unambiguous communication also pertains to the individual assessments and promotions, including the further development of Recognition and Rewards.

The committee appreciates that research integrity is highlighted and that various measures are implemented to raise awareness, such as the UM Code of Conduct, sessions on research integrity in Faculty-wide meetings, integrity as a part of



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PhD training, plagiarism checks and UM counsellors on scientific integrity. Faculty members increasingly seek advice from the interfaculty ethics committee ERCIC.

PhD Policy and Training

The number of PhD candidates seems to slightly decrease over time, while the number of PhD defences has remained relatively constant with a peak in 2020 (28 PhD defences) and - arguably due to pandemic-related issues and delays - a low of only 14 defences in 2021. The average duration of PhD trajectories is often more than four years. A relatively large number of PhD candidates (19) have applied for and received Covid delay funding. The time it takes to finish a PhD thesis is a point of attention and even more of a challenge for hybrid lecturers/PhD researchers, who have to divide their time equally between teaching and doing research. Recently, the Science Committee and the Graduate School have begun, at the start of each PhD trajectory, to more actively point out the possibility for PhD candidates to graduate on the basis of articles instead of a thesis, stimulated by interdisciplinary research: in other sciences it is more common to have articles instead of a thesis. Other advantages are shorter deadlines and feedback loops, probably leading to higher output, and tangible results even for drop-outs.

The PhD policy and training are well-developed and contribute to the two strategic goals of investing in the future generation and creating an environment conducive to attracting and keeping talent. An annual open round for new PhD candidates, recruited internally as well as externally, fosters diversity of the PhD population. The selection procedure leads to high quality and these employed PhD candidates across the board are well-integrated. PhD candidates have ample opportunities to present their work in the unit(s) they are part of. Several PhD researchers have been able to publish their dissertation with excellent publishers or won prizes for their work. The number of external PhD candidates is high and the drop-out rate among this group is higher than among the internal and scholarship PhD candidates. The selection procedure for internal and scholarship PhD candidates was stricter than for external candidates. To address the high dropout rate of external PhD candidates, the Faculty has recently (2021) set up a screening procedure to ensure that intake is controlled to a larger extent, involving the potential supervisor and the Science Committee. The committee recommends monitoring closely how the newly admitted external PhD candidates do after admission in light of the aim to bring down drop-out rates.

Extensive attention is dedicated to monitoring the quality of supervision. Supervision is considered a shared responsibility of supervisors, (the director of) the Graduate School and peers. An independent reviewer monitors the progress and the supervision relationship of resident PhD candidates. A Code of Conduct and 'Golden Rules' cards list guidelines for supervisors and supervisees and are part of the welcome package. The committee is also positive about the peer review sessions (intervisie) for supervisors and the involvement of assistant professors as co-supervisors. A recommendation would be to check at the leadership level whether all assistant professors who want to supervise PhD candidates are provided with opportunities to do so.

All PhD candidates are part of the Graduate School, which enhances cohesion and communication across research lines and institutes. The training offered by the Graduate School is varied and covers the main areas, such as research skills, methodologies, career development, and other professional skills; Open Science, research integrity and research communication are compulsory modules. PhD candidates are encouraged to also make use of other training programmes offered by e.g. the lus Commune Research School and the Netherlands Network for Human Rights Research. The committee is very positive about the two available methodologists as easily approachable experts.



The committee commends the Faculty for the attention paid to the well-being of PhD candidates, e.g. by the position of the PhD counsellor and the organisation of bi-weekly mindfulness training. The PhD counsellor makes herself known to PhD candidates at the start of their project. A recommendation would be to also make her visible at a later stage. The PhD candidates seem to be a vibrant community. The PhD representatives organise a range of activities such as a buddy system to help newcomers find their way in the Faculty, weekly luncheons with or without paper presentations, and a 'writing boot-camp'. Scholarship PhD candidates would benefit from clearer communication beforehand on what they can expect of the research environment, in particular with respect to office space.

Considerations

The committee considers that the research of the Faculty of Law contributes to legal scholarship and clearly meets the quality criteria at national and international level. The bottom-up and curiosity-driven approach leads to a vibrant research community. Coherence is maintained by interaction in and between the research institutes and groups and by the overarching pillars of the Faculty's research programme. The replacement of pillars by streams in the revised research programme emphasises the fluid connections between researchers and their fields. Faculty members generally agree on what counts as good or excellent research, but the committee recommends defining more explicit quality indicators, in order to avoid inequality and uncertainty about the standards used in assessment and promotion.

The academic culture is visible in the autonomy, independence, openness, collegiality and sense of community of researchers. Much attention is paid to the well-being of staff. Communication from the leadership is mainly person-based, which suited the previous size of the Faculty, but the currently larger community asks for a different approach, with more steering and more clarity in communication. Research integrity and ethics are high on the agenda and are underpinned by appropriate procedures and facilities.

The PhD policy and training are well-developed. The Graduate School plays an important role in selection, supervision, monitoring, training and well-being of the PhD candidates. The Faculty introduced a screening procedure for external PhD candidates, with the aim to decrease the relatively high drop-out rates of this group. The committee recommends monitoring the progress of the newly admitted external PhD candidates to establish if the screening procedure meets the expectations.

Based on the interviews and examination of the underlying documentation, the assessment committee establishes that the research unit **meets this criterion**.

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Societal Relevance

Findings

The Faculty's research programme tunes in with important societal developments, such as the Europeanisation, globalisation and digitisation of laws and legal institutions. This can be recognised in the research lines of the various institutes and, more specifically, in the recent addition of the research groups GLaw-Net and the Law and Tech Lab. The interdisciplinary approach to legal research, which is central in the research programme, contributes to the understanding of societal issues and the development of normative approaches for facing those issues. The Faculty could strengthen the interdisciplinary approach even more by facilitating connections between the institutes and with other Faculties.

The Faculty supports research that is addressed to legal professionals, stakeholders and society, and regards the emphasis on societal relevance as team efforts, not as individual responsibilities, in line with the Recognition and Rewards policy. The policy is content-driven, stimulating researchers to work on issues and with networks and stakeholders that fit a research line and can have impact, not necessarily to bring in money. The overview of the institutes and groups contains numerous examples of stakeholder-oriented and stakeholder-solicited research and cooperations with societal partners. Faculty members are actively engaged in national and European organisations and bodies. PhD dissertations are expected to contain an impact paragraph. The committee appreciates that the research of the institutes and groups demonstrates such a strong social commitment.

ITEM (the Institute for Transnational and Euregional Cross-Border Cooperation and Mobility) is a good example of an active expertise center specifically focusing on knowledge exchange, counselling and training. Its Cross Border Impact Assessment, developed in a mixed-method approach, focusses on facilitating integration in the EU at cross-border level and addressing the negative effects. MICS (the Maastricht Institute for Criminal Sciences) has strengthened its relationships with e.g. the public prosecution service by establishing eight endowed chairs, which is a relatively high number. The committee was reassured by the institute director and the Faculty Board that the independence of research is guaranteed in each contract.

The documentation contains interesting examples of outreach activities, such as the Law Blogs Maastricht, the publication of policy briefs and Studio Europa Maastricht as a meeting place for citizen engagement. Small grants to prepare policy briefs are available in the context of Maastricht, Working on Europe, a joint venture of UM, the municipality of Maastricht and the province of Limburg. The website 'How to promote your research', a designated research communication officer and the Law Events Office help to disseminate research outcomes.

Members of the tenured research staff all have teaching tasks. Attention is given to the translation of research output in the courses taught. The Honours programmes provide talented bachelor and master students with an opportunity to work with research staff. The good relation between teaching and research also appears from the growing amount of textbooks and handbooks that are published. The committee considers the claim that the UM education philosophy of problem-based learning ensures by definition close links between research and education less convincing. The committee values that academic staff and research are also at the service of professional education by developing tailor-made incompany training, coordinated by the newly established LAW.next. Another example is the offer of practice-oriented courses, modules and seminars offered by the European Centre on Privacy and Cybersecurity (ECPC), in which various institutes and research groups participate.



Open Science

Open Science is one of the strategic goals of the Faculty of Law and is connected to the Faculty's impact agenda. Almost all people in leadership positions with whom the committee met are aware of the UM Open Science policy and instruments, while other researchers, especially at the junior level, do not fully know what is expected. The Faculty Board adopts the facilities that are developed at the university level and has put in place a number of practical arrangements, such as the Open Access Book Fund, platforms to store data (Surfdrive, Surfdriveserver), workshops organised by the library, creating awareness with the PhD candidates through the Graduate School, a data management steward for two days per week and an information manager working on an individual basis with researchers. The Faculty aims to have FAIR (Findable, Accessible, Interoperable, Reusable) data management fully implemented by 2023, and has so far focused on F and A. Some institutes and groups are more aware and involved in Open Science than others, with a leading position for researchers in the Law and Tech Lab. The Faculty Board considers Open Science as work in progress and aims to work on further implementation, using the initiatives taken at the UM level.

Considerations

The committee considers that the Faculty creates serious social impact through commissioned research and collaborations with societal partners, including endowed chairs. The committee appreciates that societal relevance is valued and promoted, but not in a coercive way. The contentdriven approach, with soft steering, is effective and leads to engaging results. In the overall picture, it is the team effort that counts, so not every individual researcher is asked to participate, which is consistent with the Recognition and Rewards policy. An increase of interdisciplinary research can enhance the social impact even more. In order to boost this interdisciplinary research the committee recommends further facilitating connections between institutes as well as with other Faculties. The research-teaching nexus is strong. It is visible in the form of handbooks, in the post-academic professional education and in the many examples of research feeding into bachelor and master teaching. It would, however, not be required to have a very strong connection of research and teaching in every course.

Researchers in leadership positions are aware of the UM Open Science policy and instruments. Groups and institutes who work a lot with data are very much in tune with its standards. The Faculty Board goes along with the initiatives at university level and has put in place relevant practical arrangements, such as the Open Access Book Fund and a data steward. The next step is implementing the policy. Communication to involve all researchers is important in this regard.

Based on the interviews and examination of the underlying documentation, the assessment committee establishes that the programme **meets this criterion**.

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Viability

Findings

The revised research programme shows that the research focus will remain internationally oriented, focusing on interactions between the global, regional, domestic and local levels, which is viable and reflects societal developments. The committee also considers that the inter- and multi-disciplinary approaches in studying law and its effects will remain relevant and be even increasingly more sought after. The Faculty's 'steering but not commanding' approach provides opportunities for new research to develop from bottom-up in relation to developments in the field and societal developments. The facilitation of the Law and Tech Lab and GLaw-Net provides space for cutting-edge research to develop and obtain mass within the Faculty.

For an outsider, the organisational structure is rather complex, due to the many research institutes and research groups. There seems to be much overlap between the topics and approaches in the various research units. In the self-evaluation, the risk of compartmentalisation and fragmentation is discussed, but not in detail. After meeting with the various directors and researchers, the committee considers that the large number of institutes and plans for expansion for now seem to work and not create problems. However, it is important to keep evaluating critical mass, taking into account that one researcher might participate in three or more institutes, groups and interdisciplinary cooperations. This might become more of an issue in the future if only new institutes are added and none are discontinued or merged. The committee suggests conducting a periodical review to check the viability of said institutes and groups, taking into account logical reasons for stopping or merging. The Science Committee could play a helpful role in advising the Faculty Board on this.

The Science Committee itself seems a very good addition to the research organisation and has

evolved according to needs and feedback. The committee suggests the Science Committee to explore and clarify their mission so that they can operate with more focus and effect and more proactively. In order for the Science Committee to be a reflection of the Faculty's strategy, based on a bottom-up approach, openness and diversity, a recommendation is making the composition of the Committee more diverse with regard to seniority of its members. While maintaining senior members to ensure the authority in the Faculty, adding several assistant professors/younger researchers would expectedly enhance the legitimacy. Currently, the Science Committee's meetings are conducted in Dutch, which discouraged a number of PhD representatives to participate. The Science Committee was apparently not aware of this situation. The assessment committee advises the Science Committee to ensure that non-Dutch speakers are not excluded, in line with the Faculty's policy of bilingual interactions.

The Faculty's choice to develop a selective approach to external funding and to disconnect promotions of staff from individual success in funding competitions is commendable. It is positive that no external funding is needed to keep the Faculty running. Institutes and groups make their own choices. One group with a strong grant writing culture is the Law and Tech Lab. Grant writing is facilitated by advice from the grant advisor and the contract research consultant and by information on funding opportunities through ResearchConnect. A training programme for individual grants is available for young researchers and a new research funding advisor is building a grant writing culture based on collaboration, intellectual entrepreneurialism and sharing of expertise. This is consistent with the policy to consider grant writing as a team effort, not as an individual obligation. Directors of institutes as well as heads of departments and line managers make this a part of the discussions in their units and in annual individual assessments.



Human Resources Policy

The overview of the research institutes shows that there is diversity among staff relating to gender, age, (inter)national backgrounds, and (inter)disciplinary approaches to law. The balance of male and female employed and scholarship PhD candidates corresponds with the current balance among law students (i.e. approximately one third male and two thirds female students). Attention is given to the needs of specific groups, e.g. through the PhD Delays Committee and the booklet by Female Empowerment Maastricht on the impact of Covid on staff. Equality, diversity and inclusion are emphasised.

The Faculty has a well-developed HR policy. Among other things, it takes the mental well-being of its employees very seriously and stimulates staff to work on what they are best at, while maintaining an acceptable workload and a healthy work-life balance, in particular for researchers in an early stage of their career. In the self-evaluation, the risk of receiving threats due to the declining trust in academic research is discussed briefly and connected to the Faculty's policies for protecting and supporting researchers. Diversity in the staff composition is promoted. The committee recognises the bottom-up approach and leadership culture of trust and creating space for people to thrive. The Faculty is engaged in offering an attractive career path to young scholars as part of the talent management. Similarly, the Maastricht Graduate School of Law gives structure to the community of PhD researchers and pays special attention to their needs and well-being.

From a HR perspective, it is a good thing that not too much pressure is put on external funding. Work has been done to move away from quantitative, rigid indicators when assessing research quality, which is commendable. Accordingly, requirements for promotion and appointment have been revised to reflect the new policy on external funding and allow more differentiation in career paths and tasks (Recognition & Rewards). The Faculty governance and management has invested in developing a common ground in assessment criteria, yet – as mentioned in the chapter on Research Quality – the committee perceives a need for more equal implementation of assessment criteria and clarity, especially towards younger members of staff, as became apparent in the meeting with assistant professors/younger staff. This involves also the way in which individual agreements are shaped and evaluated. Clear communication about possibilities within the Faculty are needed to ensure equal chances for promotion of staff members with similar performance, regardless of the department or institute they are part of.

Workload and work pressure are points of attention, especially in connection with the very serious reforms of educational programmes (Bachelor Dutch Law and Bachelor European Law) which lead to extra teaching tasks, in particular for younger staff members The Faculty Board acknowledges the high demand on staff members regarding teaching tasks, emphasises that this demand can vary over time and intends to compensate the performed extra teaching tasks at a later stage as much as possible. This has, however, not yet been communicated to staff, awaiting further elaboration on how to implement this. The committee advises making sure that this compensation is realised and that there is clear communication on what is expected from and given in compensation to academic staff who for a while invest more time in teaching. The committee also advises monitoring the workload and the effectiveness of the measures that are taken.

Considerations

The committee is of the opinion that the focus of the Faculty's research programme is in tune with academic and societal developments and, therefore, substantively viable. The large number of institutes and groups looks confusing at first, but seems to work and not create problems. Maintaining critical mass and not spreading researchers too thin across institutes and groups should,

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however, be on the agenda. The committee advises conducting a periodical review to check the viability, taking into account logical reasons for stopping or merging institutes or groups, and taking advice from the Science Committee. The committee also advises clarifying the mission and reviewing the composition of the Science Committee itself, so as to accurately reflect the diverse composition of the Faculty and to ensure that various perspectives are included and represented. Grant writing is facilitated in various helpful ways, but individual success in funding competitions is disconnected from promotions, which is commendable. Institutes and groups make their own choices, while individual choices are discussed with the institute director and head of department in the annual assessments.

The Faculty emphasises equality, diversity and inclusion and the overview of staff shows that there is diversity relating to gender, age, (inter)national backgrounds, and (inter)disciplinary approaches to law. The Faculty has a well-developed HR policy, taking the well-being of its employees seriously and stimulating researchers to work on what they are best at. This tailor-made approach is positive, but more explicit assessment criteria and communication about career possibilities in the Faculty are advisable to avoid inequality and uncertainty about the standards used. Another point of attention is the work pressure due to demanding teaching tasks, especially for younger staff. The Faculty Board intends to compensate for the extra teaching time at a later stage, but this has not yet been communicated to everyone involved. The committee advises monitoring the workload and the effectiveness of the measures that are taken.

Based on the interviews and examination of the underlying documentation, the assessment committee establishes that the programme **meets this criterion**.



Attachments



Attachment 1 Assessment committee

Elaine Mak (Chair), Professor of Jurisprudence (Utrecht University)

Expertise: jurisprudence; comparative constitutional law; public law; empirical legal research; legal education Elaine Mak's research connects a legal-theoretical perspective with studies in comparative constitutional law and empirical analysis (inter alia surveys, interviews). In her research, she focuses on the functioning of the institutions of government (legislature, executive branch, and in particular the judiciary) in Western liberal democracies in an evolving legal context. In connection with this focus, she has a particular interest in the knowledge, skills and professional ethics of 'legal professionals of the future' and the way in which legal educational programmes can prepare students for this role.

Loïc Azoulai (member), Professor of European Law (Sciences Po Law School)

Expertise: EU law; Europeanisation of law; legal concepts and fundamental legal conception. Loïc Azoulai currently holds an Excellence Chair of Sorbonne Paris Cité on Being European. Legal Regimes, Ways of Belonging, Forms of Existence. He is a member of the Boards of different law journals including Common Market Law Review and Revue trimestrielle de droit européen.

Barbora Hola (member), Associate professor of Criminal Law and Criminology (VU Amsterdam)

Expertise: (international) criminal law; transitional justice; criminology; empirical legal studies

Barbora Hola works as Senior Researcher at the NSCR and as Associate Professor at the Department of Criminal Law and Criminology at Vrije Universiteit Amsterdam. She has an interdisciplinary focus and studies transitional justice after atrocities, in particular (international) criminal trials, sentencing of international crimes, rehabilitation of war criminals and life after trial at international criminal tribunals. Barbora is a co-director of the Center for International Criminal Justice, a knowledge center dedicated to interdisciplinary studies of mass atrocity crimes and international criminal justice (www.cicj.org) and a co-chair of the European Society of Criminology Group on Atrocity Crimes and Transitional Justice (https://ecactj.org). She is a member of De Jonge Akademie of the Netherlands Royal Academy of Arts and Sciences. In 2017, Barbora was one of the four candidates who received the prestigious 'WISE' (Women in Science Excel) fellowship from the Dutch Organisation for a Scientific Research to develop her research line on empirical studies of international criminal justice after atrocities.

Bart van Klink (member), Professor of Legal Methodology (VU Amsterdam)

Expertise: Legal theory; legal methodology; political theory; sociology of law; legal methods; legal skills; multidisciplinary and interdisciplinary research; legal change.

Bart van Klink participates in the research programme Boundaries of Law, in particular in the research group Time & Law. He is interested in methodological issues concerning law and legal research as well as in legal change and development. Recently, he has edited volumes on symbolic legislation and biolaw, the factnorm distinction and academic learning. Moreover, he publishes on topics such as the role of authority in law, radical temporality, law and resistance, law and language, populism and the rhetorical justification of exceptional measures in situations of war and in the fight against terrorism.

Maud Piers (member), Associate Professor of Arbitration Law and European Private Law (Ghent University) *Expertise: European private law; arbitration law; ADR*

Maud Piers focuses her research and teaching on arbitration law and ADR. With her research on digitalisation and artificial intelligence, she aims to prepare the arbitration community to move up a gear by exploring



the true potential and challenges of current and future technologies and by setting the wheels in motion for a safe and adequate regulatory context. To increase the impact of her research, she fosters multidisciplinary debate between all relevant players, namely practitioners, policymakers, developers and scholars in the related fields. Maud Piers is an associate professor of arbitration law. She regularly acts as an arbitrator and expert in international arbitration.

Joeri de Smet (member), PhD candidate, Regulation of systemically important financial institutions (KU Leuven)

Expertise: financial regulation

Joeri De Smet read law at KU Leuven and the University of Oxford. He joined the Faculty of Law and Criminology as a doctoral researcher in September 2019 and is writing a dissertation on the regulation of systemically important financial institutions. In 2020, he was awarded a PhD fellowship by the Research Foundation – Flanders (FWO) for this project. Joeri also publishes on other topics of financial stability and on investor protection. Outside the realm of financial regulation, he remains interested in Roman law and legal history, conflict of laws and corporate law.

The committee was supported by dr. Marianne van der Weiden, secretary.

Attachment 2 Programme of the assessment

Friday 28 October 2022

9:00 - 10:00	Online	Open consultation

Sunday 30 October 2022

16:30 – 18:30	Hotel	Preliminary meeting assessment committee
18:30 – 19:00	Hotel	Welcome and drinks with Faculty Board
19:00	Dinner (memb	ers of assessment committee only)

Monday 31 October 2022

8:30 - 9:00	Room B.1.019	Internal meeting assessment committee
9:00 – 9:15	Room B.1.019	Welcome
9:15 – 10:15	Room B.1.019	Faculty Board
10:30 – 11:30	Room B.1.019	Directors of institutes (I)
11:45 – 12:45	Room B.1.019	Science Committee
13:00 – 13:30	Common Roon	nWalking lunch and informal meeting with staff
13:30 – 14:00	Room B.1.019	Lunch (committee members only)
14:15 – 15:00	Room B.1.019	PhD candidates
15:15 – 16:00	Room B.1.019	Graduate School
16:00 – 17:00	Room B.1.019	Internal discussion
17:00 – 17:30	Room B.1.019	Short evaluation of the day with associate dean research
18.00	Dinner (membe	ers of assessment committee only)

Tuesday 1 November 2022

8:30 - 9:00	Room B.1.019	Internal meeting assessment committee
9:00 - 9:30	Room B.1.019	Directors of research groups
9:30 - 10:00	Room B.1.019	Directors of institutes (II)
10:15 – 11:15	Room B.1.019	Young researchers / assistant professors
11:30 – 12:30	Room B.1.019	Faculty Board
12:30 – 14:30	Room B.1.019	Lunch and internal discussion
14:30 – 15:00	Statenzaal	First impressions by chair



Attachment 3 Merit and metrics

	2010	2017	2010	2010	2020	2021
	2016	2017	2018	2019	2020	2021
Professor (#/fte)	29 (21.3)	34 (22.9)	38 (26.0)	38 (26.2)	41 (24.4)	41 (25.4)
Associate profes- sor (#/fte)	27 (22.1)	24 (19.5)	22 (17.9)	21 (18.2)	30 (22.7)	26 (19.4)
Assistant profes- sor (#/fte)	48 (40.2)	51 (43.0)	55 (47.4)	61 (52.8)	64 (50.7)	64 (51.7)
Other (#/fte)	122 (48.3)	133 (48.7)	142 (49.8)	180 (63.4)	179 (67.5)	219 (85.9)
Total academic staff (#/fte)	226 (131.9)	242 (134.1)	257 (141.1)	300 (160.6)	314 (165.3)	350 (182.4)

Table 1. Academic staff, 2016 – 2021

Table 2. External funding, Faculty (in k€), 2016 – 2021

	2016	2017	2018	2019	2020	2021
Research grants	314,0	223,6	294,6	429,0	386,4	403,0
Contract research	2.923,2	3.062,4	3.043,1	4.061,1	3.366,7	3.506,0
Total	3.237,2	3.286,0	3.337,7	4.490,1	3.753,1	3.909,0

Table 3. PhD candidates, 2016 – 2021

	2016	2017	2018	2019	2020	2021
Employed PhD candidates (#)	61	62	59	60	56	52
Employees on a PhD track (#)	7	7	6	6	7	4
Contract PhD candidate (#)	32	26	27	23	28	24
PhD candidate with external funding (#)	19	21	18	16	18	18
External PhD candidate (own funds) (#)	118	118	127	107	113	108

Enrolm	ent			Success rates													
Start-	Enrol	ment	Total	Gradu	Graduated		Gradu-		Gradu- (Gradu-		J-	Not yet		Discon-	
ing	(male	e/fe-	(M+F)	in yea	r 4 or	atec	d in	ated i	n	atec	l in	ated	in	finis	hed	tinued	
year	male)		earlier		year 5 or		year 6	or or	year 7 or		year 8 or					
		-			-	earlier		earlie	r	earl	ier	earlie	r				-
	М	F		#	%	#	%	#	%	#	%	#	%	#	%	#	%
2013	26	23	49	17	35	6	12	4	8	1	2	1	2	11	22	9	18
2014	27	18	45	9	20	2	4	5	11	4	9	0	0	7	16	18	40
2015	27	19	46	11	24	6	13	4	9	1	2	0	0	15	33	9	20
2016	19	23	42	7	17	8	19	0	0	0	0	0	0	17	40	10	24
2017	25	20	45	5	11	2	4	0	0	0	0	0	0	25	56	13	29
2018	17	18	35	4	11	0	0	0	0	0	0	0	0	21	60	10	29
Total	141	121	262	53	20	24	9	13	5	6	2	1	0	96	37	69	26

Table 4. PhD candidates, enrolment and success rates, 2016 – 2021

Table 5. PhD candidates, enrolment and success rates employed PhD candidates and scholarship PhD candidates, 2016 – 2021

Enrolment Success rates																	
Start-	Enro	lment	Total	Gradu	Graduated		Gradu-		Gradu-		Gradu-		J-	Not yet		Discon-	
ing	(male	e/fe-	(M+F)	in yea	r 4 or	atec	d in	ated i	n	atec	l in	ated	in	finis	hed	tinued	
year	male)		earlier		year 5 or		year 6	or	year 7 or		year 8 or					
					earlier ea		earlie	r	earli	ier	earlie	r		-			
	М	F		#	%	#	%	#	%	#	%	#	%	#	%	#	%
2013	7	9	16	3	19	5	31	3	19	1	6	0	0	4	25	0	0
2014	6	7	13	3	23	2	15	3	23	2	15	0	0	2	15	1	8
2015	5	9	14	4	29	3	21	1	7	0	0	0	0	4	29	2	14
2016	4	11	15	0	0	5	33	0	0	0	0	0	0	9	60	1	7
2017	6	9	15	2	13	1	7	0	0	0	0	0	0	12	80	1	0
2018	0	9	9	1	11	0	0	0	0	0	0	0	0	7	78	1	11
Total	28	54	82	13	16	16	20	7	9	3	4	0	0	38	46	6	6



Attachment 4 Documents

- Self-evaluation Research Assessment 2016-2021
- Annexes to the Self-evaluation
 - Faculty strategic programme Creative Community Law@UM 2018-2022
 - o Faculty research strategy 2015-2021
 - Research Review Faculty of Law 2009-2015 (Report Committee Besselink)
 - Faculty research programme 2016-2021 Integration of and interaction between legal orders
 - Discussion paper The quality of legal research
 - Mid-term review of research 2016-2019 Faculty of Law Maastricht University (Report Committee van Genugten)
 - Table Academic staff 2016 2021
 - Financiële regelingen Faculteit der Rechtsgeleerdheid (Financial arrangements Faculty of Law) (in Dutch)
 - Research Fund 2022
 - o Memorandum Monitoring PhD progress
 - o Code of Practice PhD supervision
 - o Golden Rules PhD supervision
 - o Structure PhD training programme
 - Training programme lus Commune
 - \circ ~ Training programme Netherlands Network for Human Rights Research
 - o FAIR Action Plan Faculty of Law
 - o Competitive grants 2016-2021
 - Table External funding 2016 2021
 - UM note impact COVID-19
 - o LAW implementation plan compensation COVID-19
- Research products
 - Key publications per institute and group
 - o List of publications 2016-2021 per institute and group
- Relevant policy documents (HR policy, appointment and assessment criteria, Graduate School, Code of Conduct integrity, language policy)