

## RECENT DEVELOPMENTS IN EUROPEAN INTEGRATION IN THE FIELD OF EDUCATION: "SORBONNE-BOLOGNA PROCESS"

The process of European integration can not be associated solely either with the adaptation of national legislation to that of the European Union (EU) or with the liberalisation of a third country internal market. It is argued that the notion "European integration" encompasses all actions aimed at the gradual accession of Ukraine into European economic, political, legal, science and cultural areas.

Training specialists in EU law is an indispensable part of that processes. However, the teaching EU law in Ukraine should go beyond mere curriculum and methodology reforms, but it has to consider contemporary European integration processes in the field of education. Consequently, the "Sorbonne-Bologna Process" must be given an appropriate attention and study by Ukrainian education policy makers and academicians.

Hitherto, no comprehensive analysis of the "Sorbonne-Bologna Process" has been conducted on the impact on educational reforms in Ukraine. Nevertheless, the "Sorbonne-Bologna Process" is a subject of thorough study by experts in some Newly Independent States (NIS). For instance, the "Sorbonne-Bologna Process" was discussed at VII Meeting of the Russian Union of Rectors and at the Convent in issues of the development of multi layer system of specialists' training in the Russian Federation in 2002. In the aftermath of these meetings the new course of the Russian Federation on higher education was promulgated that is aimed at the gradual approximation of aims and mechanisms of the "Sorbonne-Bologna Process" to the objective of reforming the Russian higher education.

Moreover, the "Sorbonne-Bologna Process" tends to exceed European boundaries. It becomes the part of the globalisation process worldwide. Furthermore, it provides the pattern of reform in narrow fields like the higher legal education. For instance, members of the European Law Faculties Association (ELFA) lobby the creation of the "Single European area of legal education" that foresees the unification of provision of legal services in Europe. Participants of the General ELFA Conference, which took part in Birmingham (UK) in February 2003 called for harmonisation of the undergraduate and graduate levels of education in Europe<sup>1</sup>. To achieve that objective the undergraduate (bachelor) level in law could focus on studying national law subjects, while the graduate (master, doctor) level could be aimed at studying international, comparative and European law subjects.

Unfortunately, representatives of Ukrainian law schools are not being engaged in discussing the "Sorbonne-Bologna Process". Nevertheless, the understanding of aims and objectives of the "Sorbonne-Bologna Process" is essential for studying its impact on the higher legal education reform in Ukraine. That is why this issue constitutes the major objective of this article.

Therein, the "Sorbonne-Bologna Process" is understood as common efforts of the Member States and other European countries aimed at the creation of the European Area of Higher Education. The "Sorbonne-Bologna Process" comprises two basic documents: **Sorbonne Declaration** "On harmonisation of European system of higher education" signed on 25 May 1998 by ministers of education of France, Germany, Italy and Great Britain, and **Bologna Declaration** signed by 29 European ministers of education on 19 June 1999<sup>2</sup>.

**Sorbonne Declaration** foresees the establishment of an open European education area, while respecting national diversities of the Parties. This process requires "continuous efforts to remove barriers and to develop a framework for teaching and learning, which would enhance mobility and ever closer cooperation". The Declaration sets out the need for the mutual recognition of two levels of education: undergraduate and graduate. Furthermore, it is proposed to apply the unified

tem of credits to enable EU nationals to enter the academic world in any European university "at any time in their professional life and from diverse backgrounds". Declaration encourages university graduates to learn foreign languages and apply information technology tools while studying in Europe. The graduate education has to employ the appropriate emphasis on research and autonomous work. The proper functioning of the European Area of Higher Education stipulates the possibility for students to undertake at least a semester in other European university as well as free mobility of lecturers and researches within Europe. Sorbonne Declaration calls for the ratification of Lisbon Convention on recognition of higher education qualifications in the academic field within Europe signed in 1997 and for the facilitation of the application of the mutual recognition regime in accordance with EC directives. The Parties to Sorbonne Declaration recognise the need to converge common efforts towards the gradual harmonisation of the "overall framework of system of degrees and cycles ... through strengthening of already existing experience, joint diplomas, pilot initiatives, and dialogue with all concerned".

Objectives of Sorbonne Declaration have been endorsed by Bologna Declaration that was signed on 19 June 1999 by 29 European ministers of education. Bologna Declaration calls for the coordination of the Parties policies in the field of higher education (common curriculum development, academic partnership, students' exchanges). It is envisaged that the process of voluntary harmonisation of the higher education in Europe should take place while respecting Parties' national diversities. The Declaration sets out its ultimate objective to establish the European Area of Higher Education by 2010, and to acquire the following midterm objectives:

- 1) adoption of a system of easily readable and comparable degrees, also through the implementation of the Diploma Supplement, in order to promote European citizens employability and the international competitiveness of the European higher education system;
- 2) implementation of a system based on two mutually recognised cycles of education, undergraduate and graduate. Access to the second cycle shall require successful completion of the first cycle studies, lasting a minimum of three years;
- 3) establishment of a system of credits – such as in the European Credit Transfer System (ECTS) – as a proper means of promoting the most widespread student mobility within Europe;
- 4) promoting mobility by overcoming obstacles to the effective exercise of free movement (for students, teachers, researches and administrative staff).

The initiated reform of the Ukrainian law curriculum, *inter alia* promotion of EU law teaching, paves the way for the consideration of the "Sorbonne-Bologna Process" objectives, regardless that, officially, Ukraine does not take part in this process. We believe that this idea is shared by the Ukrainian government. For instance, Minister of Education of Ukraine Vasyl Kremen repeatedly reiterated the need for the "Europeanisation" of the Ukrainian higher education. Nevertheless, such "Europeanisation" can not be undertaken solely from the "above" but requires the wholehearted support and endorsement by scholars and lecturers in Ukraine.

The "europeanisation" of the Ukrainian legal education could be conceived as the approximation of the law curriculum of specialities "Legal Studies" and "International Law" to commonly recognised standards of the European law education. For example, courses taught at European universities as mandatory (Comparative law, fundamental human rights, international trade law, Council of Europe law, European Union law) must become mandatory in the Ukrainian law curriculum. If it happens, Ukrainian law graduates shall possess the greater legal outlook, similar to their European counterparts. The process of adaptation of Ukrainian legislation to that of the EU has more chances to succeed if young Ukrainian lawyers are

sysaware of history, principles and legal traditions of European countries and apply that knowledge in own private practice.

Another issue to consider is the clarification of the substance and basic requirements of the undergraduate and graduate levels of higher law education in Ukraine. Bologna Declaration regards the content and substance of courses at undergraduate and graduate levels as different. Furthermore, the reform of Ukrainian research qualifications in accordance with the commonly accepted European standards, as well as the mutual recognition of research degrees obtained abroad and in Ukraine is pending its solution. Common efforts have to be undertaken to accelerate the approval of the research qualification "European law". Undoubtedly, it will encourage young scholars to conduct research on EU law in Ukraine.

Reception of modern European standards of students knowledge evaluation and active teaching (external examiner, moot court competitions, usage of Internet in teaching and studying, distance learning), and the approbation of a credit system to that of the ECTS equivalent, will play a profound role in enhancing the quality of law teaching and research in Ukraine. In accordance with the ECTS system, which is approved by the European Commission, every academic course has an equivalent in ECTS credits. These credits display a value allocated to course units to describe the student workload required to complete them. The ECTS credits reflect the quantity of work each course requires in relation to the total quantity of work required to complete a full year of academic study at the institution, that is, lectures, practical work, seminars, private work — in the laboratory, library or at home — and examinations or other assessment activities. In accordance with the ECTS the academic year is equivalent to 60 credits. ECTS credits are allocated to courses and are awarded to students who successfully complete those courses by passing the examinations or other assessments. The adoption of the equivalent to the ECTS credit system will entail the transparency of the Ukrainian system of higher education abroad and assist to students and graduates, who obtained a qualification in Ukraine, work and continue studies and conduct research in Europe.

One of the means to achieve that objective is the adoption of the Diploma Supplement. Chances of Ukrainian students to recognise their Ukrainian qualifications abroad shall be significantly elevated if their Diploma Supplement is filled in major European languages and converts courses taken by a student in to ECTS credits.

Proposed reforms can not be fulfilled without creation of a permanent structure — forum of academic lawyers in Ukraine such as the Ukrainian branch of the European Community Studies Association<sup>3</sup>. Similar associations function in all Member States, third countries, including our neighbours (Russia, Belarus) but not in our country. The Ukrainian European Community Studies Association will unite lawyers, historians, political scientists who are interested in the process of integration of Ukraine into the EU, and to contribute to the consolidation of efforts, aimed at the achievement of aims and tasks of the "Sorbonne — Bologna process" in Ukraine.

<sup>1</sup> For the results of the Birmingham ELFA Conference see <[www.elfa.bham.ac.uk](http://www.elfa.bham.ac.uk)>

<sup>2</sup> Sorbonne and Bologna Declarations texts in full are available at [www.elfa.bham.ac.uk](http://www.elfa.bham.ac.uk)

<sup>3</sup> Information about the European Community Studies Association is accessible via <[www.ecsanet.org](http://www.ecsanet.org)>

*R. Petrov*

Translated by the author