

A Very Significant Example of Cooperation between EU and China: The China – EU School of Law

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On the 23rd of October 2008 the official inauguration of the China – EU School of Law (CESL) took place with the participation of Li Keqiang, Executive Vice Premier of the People's Republic of China and Jose Manuel Barroso, President of the European Commission.

The school was established on behalf of the European Commission and the People's Republic of China, by a university consortium under the leadership of the University of Hamburg; involved participants include the Universities of Madrid (Spain), Bologna (Italy), Robert-Schuman Strasbourg (France), Sciences Po Paris (France), Lund (Sweden), Leuven (Belgium), Manchester (Great Britain), Krakow (Poland) and Maastricht (Netherlands) as well as the Central European University (Hungary), the Eötvös Loránd University (Hungary) in Budapest and the Trinity College Dublin (Ireland). For China's part, the China University of Political Science and Law and the Tsinghua University will participate, both located in Beijing.

CESL is located in the Campus of China University of Political Science and Law (CUPL) in Changping, a town in northern suburb of Beijing, neighboring the Jundu Mountain Range where the Great Wall, Ming Tombs, the Mangshan Forest Park and many historical sites are located.

The main goal of CESL is to offer high level legal education to law students and legal professionals, to conduct Sino-European legal research and consultancy activities and to substantially contribute to the advancement of the rule of law in China. Moreover, CESL is intended to have an immediate impact on the quality of legal education and research in China at both the systemic level and the professional level. As President Barroso said at the opening ceremony, «Through the study of law, this joint EU-China law school will act as a bridge between civilisations, between different judicial systems, while at the same time retaining mutual respect for our respective administrative and judicial models. The objective of this joint School is to achieve mutual understanding, to bring us closer together, to foster cooperation and partnership».

In order to achieve these ambitious aims CESL provides four primary programmes:

- (1) the Programme of Chinese Juris Master and LL. M. of EU Law ([Master Programs](#));
- (2) the [Professional Training Programme](#) designed to train lawyers, judges and prosecutors;
- (3) the [Research and Consultancy Programme](#), made to support CESL faculty research and provide top quality consulting services to various clients including the Chinese government;

(4) the Ph.D. Programme, designed to support both Chinese and European Ph.D candidates, with an eventual degree programme at CESL and the possibility of being partially merged with the Research Programme.

However, the flagship programme of CESL is represented by the Master Programme, which is divided into the Double Degree Programme for Chinese applicants and the European Law Master Programme for international and/or Chinese graduates. The Double Degree Programme combines the requirements of either the Juris Master of Chinese Law (Chinese J.M) or the Master of Chinese Law (Chinese LL.M) with those of the Master of European Law (European LL.M). Together, the program spans 3 full-time academic years (6 consecutive academic semesters) culminating with the conferral of two degrees: either a J.M or LL.M degree from CUPL plus an LL.M degree from University of Hamburg. International graduates can apply for the Master of European Law Programme as an independent degree programme. If pursued in this way, the programme spans 1.5 full-time academic years (3 consecutive academic semesters) and terminates in the conferral of a LL.M degree from University of Hamburg.

The Master Programme is very relevant also for the field of Tourism Law, since it provides for a specific module dedicated to European Private Law, which, at its turn, is divided into a number of lessons on Tort Law, a course on Property Law and another course about Contract Law.

Infact, in the module on Tort Law, several hours of lessons are dedicated to the liability of the organizer and of the retailer of a package travel, to the air carrier liability in case of accident and to the liability of hotel-keepers concerning the property of their guests as laid down by the International Paris Convention of the 17 december 1962. Even in the course of the module on Contract Law, students deal with very import aspects of Tourism Law, because some hours of lessons are dedicated to the European regulation of consumer contracts: more precisely, the module covers the regulation of the unfair terms in consumer contracts; the regulation of contracts negotiated away from business premises; the regulation of the misleading and comparative advertising and, at last, the regulation of the unfair commercial practices.

All in all, the project created by the European Union and the Chinese government represents a very meaningful and powerful example of cooperation in the field of law, which may allow China to strengthen its rules as well as to facilitate the growth and the re-engineering of its legal system in the economic and social contexts. In this perspective, it is conceivable that the greater interaction and potential synergy of different legal cultures created by CESL would lead to the better development of the rule of law in China and that this will happen also in the field of Tourism Law, since the European lawmaker has always paid a particular attention to consumer and to tourist protection.