

**DECISION 24 – 186**

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Of the Examination Appeals Board of Leiden University  
in the matter of the administrative appeal of

■■■■■, appellant

against

the Board of the Leiden Law School, respondent

**The course of the proceedings**

The appellant requested the respondent to be admitted to the Master's Programme in Law, with a specialisation in: Public International Law (hereafter to be referred to as: the Master's Programme).

In a decision of 16 April 2024, the respondent rejected his request.

The appellant lodged an administrative appeal against this decision in a letter dated 24 April 2024.

The appeal was considered on 21 August 2024 during a public hearing of a chamber of the Examination Appeals Board. The appellant did not appear at the hearing, and did not give notice of absence. ■■■■■■, ■■■■■ of the Board of Admissions, was present at the hearing on behalf of the respondent.

**Considerations**

In accordance with Article 7.61, paragraph two, of the Higher Education and Academic Research Act (*Wet op het Hoger onderwijs en Wetenschappelijk*

**Decision  
24-186**  
Page 2/4

*onderzoek*, “WHW”), the Examination Appeals Board must consider whether the contested decision contravenes the law.

The appellant holds a Bachelor's Diploma in Law from Anhui Science and Technology University. He seeks admission to the Master's Programme on that basis. He points out that this university is listed as a Double First Class University and is consequently a leading university. Moreover, the appellant focused on law in his undergraduate programme and obtained work experience at a law firm.

According to the respondent, the appellant's diploma is not comparable to a full three-year Bachelor of Laws Degree obtained at an internationally recognised research university. The respondent concludes this based on information about the university provided by the Admissions Office. The Double First Class designation applies only to certain programmes at the university and does not provide information on the university as an internationally recognised research university. The appellant is therefore not eligible for admission to the Programme.

The conditions for admission to the Master's Programme are set out in the Course and Examination Regulations of the Master's Programme in Law 2023-2024 (*Onderwijs- en examenregeling Masteropleiding Rechtsgeleerdheid 2023-2024; OER*). The appellant is subject to the conditions listed under 'Admission to the programme for academic year 2024-2025'.

The Executive Board has not set any intake restriction for the Master's Programme. This means that all students must be admitted to the Programme provided they meet the admission requirements set out in the OER.

According to article 5.2.1 of the OER, those with a Bachelor's Degree in Law from Leiden University or a bachelor's degree in Law from another Dutch university are automatically eligible for admission, provided this is a so-called 'robe' (*toga*) variant. For a number of tracks within the Master's Programme in Law, including the Public International Law track, the OER contains additional selection and admission requirements.

**Decision**  
**24-186**  
Page 3/4

It has been established that the appellant does not have a bachelor's degree in law from a Dutch university. He is therefore not eligible for admission under Article 5.2.1 of the OER.

This means that the appellant can only be admitted to the Master's Programme under Article 5.2.2 of the OER. Under this provision, anyone who does not meet the diploma requirements mentioned in Article 5.2.1 may still apply to the Board of Admissions for admission. A prerequisite for this is that the prospective student holds a diploma from a bachelor's degree programme in university education and that he/she has qualities, or rather, comparable qualities in the area of knowledge, insight and skills to those who have completed a bachelor's degree in Law as referred to in article 5.2.1.

The parties dispute whether the appellant has a bachelor's degree that meets the required level.

The Examination Appeals Board considers that the respondent gave sufficient reasons at the hearing for the grounds on which the contested decision was reached. The respondent relied correctly on the advice of the Admissions Office, which assessed the appellant's prior education and advised that his prior education did not correspond to the level required by Article 5.2.2 of the OER. The fact that the appellant has work experience and focused on law during his undergraduate programme does not alter this.

This means that the administrative appeal is unfounded. The contested decision is upheld.

**Decision  
24-186**

Page 4/4

**The decision**

The Examination Appeals Board of Leiden University

holds the administrative appeal unfounded

in view of article 7.61 of the Higher Education and Academic Research Act.

Established by a chamber of the Examination Appeals Board, comprised of: O. van Loon, LL.M. (Chair); Dr A.M. Rademaker; J.J. Christiaans, B.A.; P.C. Kemeling LL.B.; and J.J. But, LL.M. (members), in the presence of the Secretary of the Board, E.M.A. van der Linden, LL.M.

O. van Loon, LL.M.  
Chair

E.M.A. van der Linden, LL.M.  
Secretary

The decision was notified to the parties by e-mail on August 22, 2024, and the decision was sent on: August 27, 2024.

Certified true copy,