

# General Outline of the Project

## International Legal Research Group - European Compliance Benchmark

LEGAL  
RESEARCH  
GROUP

# EUROPEAN COMPLIANCE BENCHMARK

**A Comprehensive Overview of Corporate Criminal and  
Regulatory Liability.**

**October '16 - April '17**

**Concluding Conference in May '17**

**elsa**

The European Law Students' Association

**K&L GATES**

## Introduction

The International Legal Research Group - European Compliance Benchmark is a cooperation between The European Law Students' Association (ELSA) and K&L Gates. K&L Gates has provided ELSA with research questions that hopefully 43 member and observer groups in our network will investigate in the framework of their respective national legislation. The official launch date is October 2016. The final report will be published in April 2017.

This outline seeks to give an overview of the project. At the time of writing, the project has not been officially launched. For this reason, the content of this material is subject to change. Use this document as a starting point of reference. Updated information and other documents will be uploaded on the Internet page of the project, <http://legalresearch.elsa.org/compliance/>. Please do not hesitate contacting [lrg@elsa.org](mailto:lrg@elsa.org) in case you have questions.

We hope you will join the flagship of ELSA's Academic Activities this year!

Jakub Čája,

International Coordinator for the ELSA Legal Research Group  
ELSA International 2016/2017

## 1. Legal Research Groups in ELSA

A Legal Research Group (LRG) is a group of law students and young lawyers carrying out research on a specified topic of law with the aim to make their conclusions publicly accessible. Legal research was one of the main aims of ELSA during our early years. In the 1980s, when ELSA was created as a platform for European cooperation between law students, sharing experience and knowledge was the main purpose of our organisation. In the 1990s, our predecessors made huge strides and built a strong association with a special focus on international exchange. In the 2000s, young students from Western to Eastern Europe were facing immense changes in their legal systems. Our members were part of such giant legal developments such as the EU expansion and the implementation of EU Law. To illustrate, the outcome of the ELSA PINIL (Project on International Criminal Court National Implementation Legislation) has been the largest international criminal law research in Europe. In fact, the final country reports have been used as a basis for establishing new legislation in many European countries.

## 2. Previous Legal Research Groups

The more recent LRGs are electronically available - please click on the links to access. [ELSA for Children](#) (2012) was published on [Council of Europe's web pages](#) and resulted in a [follow up LRG](#) (2014) together with Missing Children Europe. In 2013, ELSA was involved in Council of Europe's 'No Hate Speech Movement'. [The final report](#) was presented at the [Online Hate Speech Conference](#) in Oslo that same year and it has received a lot of interest from academics and activists in the field of discrimination and freedom of speech. The [results of the conference](#), a guideline has, even been translated into Japanese! Last year, we organized Legal Research Group on [Social Rights](#) in cooperation with Department of European Social Charter in Council of Europe. 28 National Groups contributed to [Final Report](#) and the results are going to be presented on concluding conference in Strasbourg. In October 2016 ELSA Launched the Legal Research Group on Freedom of Expression in cooperation with the Media Division in the Council of Europe. 28 countries all over Europe contributed to the [Final Report](#) available here.

## 3. The Topic

This LRG centres around the world of Corporate Compliance. What is meant by this is the degree to which companies abide by the regulations set for corporate governance and prevention of criminal measures in a commercial context. The questions of the LRG focus on outlining the relevant rules as well as assessing what the ramifications are for breaking them. The final thing that this project hopes to cover is the measures that authorities can exercise to ensure that the law is not broken and who within each legal system has the power to exercise such authority.

## **4. Structure of the Legal Research Group**

The International Coordination Team (ICT) will coordinate the LRG on Corporate Compliance. Consisting of 7 persons, the ICT is at the National Research Group's disposal.

### **a) The ICT**

The persons making up the ICT are:

- 1. International Coordinator;**
- 2. International Human Resources Coordinator;**
- 3. International Academic Coordinator;**
- 4. International Research Assistants (2);**
- 5. International Linguistics Editor;**
- 6. International Technical Editor;**

#### **1. The International Coordinator**

Vice President for Academic Activities of ELSA International is in charge of managing and overseeing the entire International LRG on Corporate Compliance. Being ELSA's representative of this project to (external) parties in and outside the Network, IC is responsible for communicating and coming to agreements with all relevant (external) parties. This person can be contacted at [academicactivities@elsa.org](mailto:academicactivities@elsa.org).

#### **2. The International Human Resources Coordinator**

International Human Resources Coordinator is responsible for recruiting and appointing National Coordinators and assisting with the recruitment and approving of the participants in the National Research Groups. As the main contact person for the National Research Groups, HR Coordinator will manage the official LRG e-mail account and is more than happy to answer any questions on the LRG. Can be contacted at [lrg@elsa.org](mailto:lrg@elsa.org).

#### **3. The International Academic Coordinator**

International Academic Coordinator will coordinate the academic development of the LRG. IAC is here to answer any academic questions from the National Research Groups and assist the National Research Groups when searching for a National Academic Supervisor. IAC will be **also in charge of proofreading and providing feedback of the national reports**. Can be contacted at [lrg.academic@elsa.org](mailto:lrg.academic@elsa.org).

#### **4. The International Research Assistants**

International Research Assistants will conduct literature review on issues relating to the

Academic Framework in each participating Member-State. Moreover, Research Assistant will be assisting the IAC with providing the feedback to the National Reports. Can be contacted at e-mail [lrg.assistant@elsa.org](mailto:lrg.assistant@elsa.org)

### **5. The International Linguistic Editor**

International Linguistic Editor (ILE) will provide the National Research Groups with a detailed guideline on citing (inter)national sources and the proper use of (plain) legal English. Upon request, Linguistic Editor will assist the National Research Groups with any linguistic matters and finding National Linguistic Editors. Can be contacted at [lrg.linguistics@elsa.org](mailto:lrg.linguistics@elsa.org).

### **6. The International Technical Editor**

The International Technical Editor will provide the National Research Groups with a detailed guideline containing technical instructions on formatting and the use of Microsoft Word. Technical Editor more than willing to help National Research Groups facing any technical difficulties. The most important, this person is responsible for compiling the Final Report. Can be contacted at [lrg.technical@elsa.org](mailto:lrg.technical@elsa.org).

## **b) National Research Groups**

The aim is to have a National Research Group (NRG) in each of the 43 National Groups in ELSA. To ensure a high quality final national report, every NRG should be made up out of:

- 1. National Coordinator (NC);**
- 2. National Academic Coordinator (NAC);**
- 3. National Researchers (NRs) (3-10);**
- 4. National Linguistic Editor (NLEs) (1-3);**
- 5. National Academic Supervisor (NAS).**

This is a recommendation - other solutions may of course be possible. One person could for example have more than one of the above-mentioned positions. The Vice President for Academic Activities (VP AA) will coordinate the NRG in his or her respective country. In the event that the VP AA is unable to take up this responsibility, the National Group will appoint a National Coordinator. The National Academic Coordinator will complement the National Coordinator by overseeing the academic research conducted by the National Researchers. National Researchers are responsible for conducting the necessary research on topic of Protection of Journalistic Sources and writing the final national report. National Linguistic Editors are necessary to ensure that the level of (legal) English is adequate and sources are cited in accordance with the guideline provided by the ICT. To guarantee final national reports of a high academic quality, a National Academic Supervisor, who is an expert in the field of Corporate or Compliance Law, must be appointed to guide the National Researchers along the way.

The National Academic Coordinator, National Researchers, National Linguistic Editors and National Academic Supervisor will be pre-selected according to their academic qualities and proven motivation by the National Coordinators.

### **1. The Duties and Responsibilities of the National Coordinator**

The NC is in charge of the overall management of the NRG in his or her respective country. As such, a NC is responsible for:

- a. Submitting the final national report that is in accordance with the expected academic quality, guidelines and deadlines provided for by the ICT. For more details on the expected academic quality, see below.
- b. Recruiting and coordinating with the National Academic Coordinator, National Researchers, National Linguistic Editor(s) and the National Academic Supervisor. Please refer to the following paragraphs for more details on the requirements for these positions. The application form for the different national positions can be found here;
- c. Facilitating communication within the NRG and updating and maintaining frequent contact with the ICT;
- d. Implementing a marketing strategy to promote the project, benefits and opportunities of participation and importance of conducting legal research in this field of law.

As NCs play a vital role in this project, NCs are expected to show:

- i. Demonstrated management, leadership and cooperation skills;
- ii. The ability to work independently as well as work efficiently in a team;
- iii. A strong feeling of commitment to the project and the ability to follow through;
- iv. Sufficient availability and willingness to perform the required tasks;
- v. Flexibility, tenacity and proven reliability.

### **2. Duties and Responsibilities of the National Academic Coordinator**

As mentioned above, the NAC has a complementary role by overseeing the research conducted by the National Researchers and assisting the National Coordinator in all aspects relating to the academic content of the final national report. As such, the NAC is responsible for:

- a. Coordinating the academic development of the conducted research;
- b. Assisting the National Coordinator in pre-selecting a National Academic Supervisor;
- c. Answering academic questions from the National Researchers or communicating



- inquiries to the National Academic Supervisor for additional information;
- d. Ensuring high quality research and writing of the final national report and intervening to mitigate any issues related to academic content throughout the research and writing process when necessary;
- e. Processing and providing feedback on the final national report prior to submission to the National Academic Supervisor and National Linguistic Editor(s).

The NAC is selected according to his or her academic qualities and proven motivation. As such, NACs are expected to show:

- i. Demonstrated management, leadership and cooperation skills;
- ii. The ability to work independently as well as work efficiently in a team;
- iii. Knowledge of Law or willingness to perform extensive research in this field;
- iv. A high level of written legal English;
- v. A strong feeling of commitment to the project and the ability to follow through;
- vi. Sufficient availability and willingness to perform the required tasks.

### **3. Duties and Responsibilities of the National Researchers**

The success of any LRG relies on the quality and competences of the NRs. The final report will be a compilation of the report produced by the national NRs after all. NRs are thus expected to:

- a. Produce a collective and cohesive final national report following the Academic Framework and that is in accordance with the expected academic quality, guidelines and deadlines provided for by the ICT. For more details on the quality, guidelines and deadlines of the final report see below;
- b. Ensure that the academic content of the final national report is accurate, cited properly and written in (plain) legal English;
- c. Maintain open and constant communication with the National Coordinator by providing regular updates and respond promptly to requests and inquiries from the National Coordinator;
- d. Respect all deadlines fixed by the National Coordinator and the ICT.

NRs are selected according to their academic qualities and proven motivation. As such, NRs are expected to show:

- i. Knowledge of Corporate and Compliance Law. or willingness to perform extensive research in this field;
- ii. A high level of written legal English;
- iii. The ability to work independently as well as work efficiently in a team;
- iv. A strong feeling of commitment to the project and the ability to follow through;

- v. Sufficient availability and willingness to perform the required tasks.

#### **4. Duties and Responsibilities of the National Academic Supervisor**

To guarantee a high academic standard of the final national report, a NAS will be appointed to review the work produced by the NRG. A NAS is expected to:

- a. Offer recommendations and advice in accordance with the Academic Framework;
- b. Monitor the academic progress of the conducted research;
- c. Analyze and provide feedback on the submitted research and drafts from National Researchers;
- d. Assist the National Academic Coordinator in answering academic questions from the National Researchers;
- e. Approve the final report.

A NAS is selected on the basis of his or her academic abilities and skills. As such, a NAS is expected to show:

- i. Significant academic experience in the field of Corporate Law;
- ii. Sufficient availability and willingness to perform the required tasks.

#### **5. Duties and Responsibilities of the National Linguistic Editors**

To ensure a coherent and presentable final publication, the National Coordinator will appoint one to three NLE(s). NLEs are expected to:

- a. Assist and instruct National Researchers on the proper use of citations and (plain) legal English, following the guidelines provided for by the ICT;
- b. Amend the structure of the final national report if necessary;
- c. Proofread the final national report and amend if necessary.

NLEs are selected according to their academic qualities and proven motivation. International exchange students, being perhaps native English speakers, are recommended! NLEs are expected to show:

- i. A strong legal English background;
- ii. A high level of written legal English;
- iii. The ability to work independently as well as work efficiently in a team;
- iv. A strong feeling of commitment to the project and the ability to follow through;
- v. Sufficient availability and willingness to perform the required tasks.



## 5. Become the part of our team

All 43 national groups, members and observers, in ELSA can join the LRG. We have now opened the Call for the Coordinators and Participants.

If you want to apply for a position of a National Coordinator, contact your [national ELSA group](#) - and in particular the Vice President for Academic Activities.

## 6. Supporting materials

The Academic Framework, i.e. the questions your NRG are required to answer, can be accessed here. If you have any questions regarding the academic content of the project, please contact [lrg.academic@elsa.org](mailto:lrg.academic@elsa.org).

ICT will also provide you with [formatting and linguistic guidelines](#). These guidelines include instructions on the style and form of the final national report. These guidelines are mandatory and are to be strictly followed.

Moreover, marketing materials will be distributed to the Network after the launch on October 2016. Download the Marketing Kit [here](#).

Finally, an application form, to be used to recruit participants for your NRG, can be found [here](#).

## 7. Opportunities

There are of course many good reasons for joining this project. Below you will find some incentives listed:

- a) You will be a contributor to an international publication that is a cooperation between the world's largest law students' association and one of the leading Law Firms worldwide.
- b) The final compiled report will be published by both K&L Gates and ELSA.
- c) All participants will receive a certificate of participation, issued by K&L Gates and ELSA. The ICT will do its very best to give the participants the opportunity to present the research to more external parties.
- d) The topic concerns many young people and raising awareness of these issues represents and strengthens our commitment to perfection of law students.
- e) You will have an opportunity to present the result of your work on the concluding Conference, which will take place in Brussels in May 2017.

## 8. Academic quality of the project

It is of course of great importance to assure high academic quality of the final publication. For this reason, these concrete measures will be applied.

- a) All National Coordinators (NC) will be appointed by the ICT. If the NC does not fulfill his/her obligations, the ICT reserves the right to dismiss this person and appoint a capable candidate. The NC will carefully pre-select the participants of the NRG and put forward the recommended participants for the ICT's approval;
- b) All NRGs will involve an National Academic Supervisor who assists and approve the results;
- c) The ICT will engage an International Academic Advisor who will answer questions regarding the Academic Framework.
- d) The Academic coordinator and the Linguistic Editor of the ICT will assure a certain level of quality and take action if necessary, e.g. by requesting the NRG to submit an improved edition. The ICT may also decide to not include the national report in the final publication.

## 9. Communication

The LRG Facebook Group will be the main channel of communication. All National Coordinators, and others who wish so, will be added to this. Besides, all the important information and informal communication will be posted in this Facebook Group as well. All participants of the project are invited to join this group!

In case you have any questions, please contact [lrg@elsa.org](mailto:lrg@elsa.org). The ICT will do its best to be as accessible as possible and we would be more than happy to arrange Skype meetings with participants.

## 10. Draft Timeline

### 2016

19<sup>th</sup> October – Launch of the Project, Application period for the National Coordinators, Researchers, Linguistic Editors, etc.

10<sup>th</sup> November – Deadline for National Coordinator applications

28<sup>th</sup> November – Deadline for Researchers Applications

1<sup>st</sup> December – Appointment of the National Research Groups

### 2017

12<sup>th</sup> of March – Submit your National Report

16<sup>th</sup> of April – Deadline for the Final Corrections to the Report

End of April – Compilation of Reports

May – Conference

## **11. Copyright**

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