

# VACANCY FOR PHD OR POSTDOC IN HUMAN RIGHTS LAW

## PRACTICAL INFORMATION

Deadline for applications	21 March 2021
Starting date	1 November 2021
Location	Faculty of Law – Hasselt University
Contract	<b>PhD:</b> full-time, 4 years <b>Postdoc:</b> full-time or part-time, 2 years (based on 1.0 FTE)
Degree requirements	<b>PhD:</b> Master's degree in law <b>Postdoc:</b> PhD in human rights law or other relevant field
Vacancy Type	Academic research

## JOB DESCRIPTION

We are seeking a researcher to conduct either doctoral or postdoctoral research on the iBOF project *Future-proofing human rights. Developing thicker forms of accountability* (see details below).

The selected candidate will evaluate how the right to health can or should be balanced against other economic, social and cultural rights (ESC rights) during a pandemic, so as to ensure maximal accountability for ESC rights during health crises such as caused by Covid-19.

Only one candidate will be selected for this position. If the selected candidate is at the pre-doctoral level, they will be granted a full-time, fully-funded PhD fellowship (4 years). If the selected candidate is at the postdoctoral level, they will be offered a full-time or part-time employment contract of limited duration (2 years, based on 1.0 FTE – employment percentage is open to negotiation). All candidates for this position will be evaluated jointly (see details below).

The doctoral or postdoctoral researcher will be supervised by prof. dr. Stijn Smet at the Faculty of Law of Hasselt University. They will also collaborate closely (remotely) with other PhD students, postdoctoral researchers and professors based at the Flemish universities who participate in the iBOF project (Ghent University, University of Antwerp and Free University of Brussels).

We are looking for a mature PhD candidate or established postdoctoral researcher with proven expertise in human rights law. PhD candidates who apply should ideally have a research degree in law and/or experience with academic research on human rights law and/or human rights accountability. Postdoctoral researchers who apply should hold a PhD in human rights law or other relevant field and have a proven track record on ESC rights.

## DESCRIPTION OF IBOF RESEARCH PROJECT

This position is one of seven open research positions on a new interuniversity and multidisciplinary research project on accountability for human rights violations. For more information about the other vacancies, see [this page](#).

The overall research project is funded by an inter-university Research Fund (iBOF) set up by all Flemish universities to fund cutting-edge fundamental research. Our project will conduct a multidisciplinary and multi-method study to identify new avenues for achieving better human rights protection. We look for these new avenues *within* human rights law, in *other* areas of law and *beyond* the law in order to propose a thicker conceptualization of human rights accountability so that it can face up to current societal challenges, such as COVID-19, corporate abuse and surveillance dilemmas.

Our particular concern is with the disconnect between the formal legal system and the lived experiences of those who suffer (what could be seen as) human rights violations. For that reason, we adopt an actor-oriented perspective and study human rights accountability from the perspective of a variety of human rights users (including rights holders, lawmakers, policymakers, advocacy groups and judges).

The overarching research question of our project is: *How can thicker accountability for human rights violations be achieved, so as to ensure better human rights protection in line with the everyday experience of rights holders?* This question breaks down into three sub-questions:

1. What counts/should count, as a human rights violation, i.e. what types of substantive wrongs (do not) trigger accountability in practice?
2. Who can/should be held accountable (i.e. who is a duty-bearer), but now slips through the net?
3. How can the human rights framework be altered to accommodate this, i.e. what are good practices?

## DESCRIPTION OF SPECIFIC RESEARCH

Within this broader project, the selected candidate will conduct either doctoral or postdoctoral research on how the right to health can or should be balanced against other ESC rights during a pandemic, so as to ensure maximal accountability for ESC rights during health crises such as caused by Covid-19.

The COVID-19 crisis has dramatically reminded us of the importance *and* difficulty of protecting human rights during emergencies. The measures taken by governments in response to the pandemic have caused human rights restrictions for virtually everyone. The balancing dilemma inherent in human rights law has therefore been acute: how can/should states balance various individual human rights or interests against each other? For example: in adopting lockdown measures, have states adequately balanced the right to health with a myriad of other human rights (freedom of movement, freedom of assembly, right to education, right to property, etc)?

Future legal analyses of the human rights implications of the COVID-19 crisis will be rife, but can also be expected to have civil and political rights as their primary focus, rather than economic, social and cultural rights. The reality, however, is that the socio-economically disadvantaged have been disproportionately affected by the crisis, including through loss of jobs or income, reduced education, and/or being forced to work in 'essential' jobs such as cleaning, supermarkets and delivery, thereby exposing their health to increased risks.

The selected candidate will analyse the implications of the COVID-19 crisis for the protection of ESC rights, by asking: *How should the right to health be balanced against other ESC rights so as to ensure maximal accountability for ESC rights during health crises?*

The selected candidate will use a mixed-method approach, combining in-depth doctrinal legal research with complementary methods to critically evaluate the potential and limits of ensuring accountability for ESC rights during pandemics. For more information, see WP 1.2. in [this document](#).

For PhD candidates, the position must result in submission of a PhD dissertation within the contract period.

For postdoctoral researchers, the position must result in the publication of several high-quality academic papers in leading journals.

## **YOUR PROFILE – PHD CANDIDATE**

In order to be eligible, PhD candidates must meet the following minimum requirements:

- hold a (research) master’s degree in law or other relevant field at the time of application **or** demonstrate that you will have the degree in hand before 1 August 2021
- have demonstrable knowledge of and/or research expertise in human rights law
- have a strong interest in at least two of the following theoretical frameworks/perspectives: balancing, equality and socio-economic disadvantage, vulnerability, intersectionality, critical human rights studies, and feminist studies
- be (near) fluent in English as your working language and publication language during the project
- be proficient in at least one other language (knowledge of Spanish is a particular asset)
- be willing to spend time abroad to participate in international conferences and/or for research stays abroad.

Applicants who also meet the following desired qualities may be ranked higher during the assessment procedure:

- proven knowledge of protection of ESC rights (including at the national level)
- proven experience with doctrinal legal research, in particular quantitative, qualitative and/or critical analysis of human rights jurisprudence
- proven experience with (academic) legal research (including academic publications)
- fluency in at least one other language, in addition to English (fluency in Spanish is a particular asset)
- have a pre-existing network relevant to the research project

The selected applicant will also:

- have a strong commitment to social justice and human rights
- be able to work both independently and as part of a multi-disciplinary and international team
- have excellent academic writing and presentation skills
- contribute to the well-functioning of the team and project
- take the initiative to (co-)organise activities (e.g. workshops, blogs, reading groups, podcasts, Twitter account) that benefit the project

- be respectful of diversity in all its forms
- be able to manage deadlines

## YOUR PROFILE – POSTDOCTORAL RESEARCHER

In addition to the above requirements, postdoctoral researchers must also meet the following minimum requirements:

- hold a PhD in human rights law or other relevant field at the time of application **or** demonstrate that you will have the degree in hand by 1 August 2021
- have a proven track record (including through publications) on the protection of ESC rights

Postdoctoral researchers who meet several of the following desired qualities will be ranked higher during the assessment procedure:

- have multidisciplinary training (e.g. as demonstrated through multiple degrees) and/or a proven track record in multidisciplinary research, as relevant to the iBOF research project
- have a proven track record (including publications) on at least two of the following theoretical frameworks/perspectives: balancing, equality and socio-economic disadvantage, vulnerability, intersectionality, critical human rights studies, and feminist studies
- have demonstrable expertise in the implementation/protection of ESC rights at the national level (especially in the global South)
- have demonstrable expertise in human rights accountability
- have demonstrable expertise in or familiarity with actor-oriented perspectives and/or users' perspectives on human rights
- have experience with taking on a proactive and coordinating role within a collaborative research project
- be fluent in at least one other language, in addition to English (fluency in Spanish is a particular asset)
- be committed to pursuing an academic career in the mid-term and/or long-term

## WHAT WE OFFER

- A vibrant, inter-university and multidisciplinary research environment, stretching across four Flemish universities, in which you conduct your research as part of a broader cutting-edge research project.
- For pre-doctoral candidates: concerted supervision of your doctoral research by a dedicated and committed supervisor (prof. dr. Stijn Smet) with an established academic track record on conflicts between human rights and balancing.
- For post-doctoral candidates: freedom to, in consultation with prof. dr. Stijn Smet, set out your own research agenda within the confines of the research project and work package.
- For pre-doctoral candidates: an indicative starting salary of EUR 2,170 net per month (salary scale PhD candidates Flemish Universities). Several elements are factored into the calculation of the exact salary, including relevant prior experience and family situation.
- For post-doctoral candidates: an indicative starting salary of EUR 4,488 gross per month, based on a full-time position and four years of academic experience (ie. starting immediately after PhD). Several elements are factored into the calculation of the exact salary, including other relevant prior experience and family situation.

- For pre-doctoral candidates: the ability to enroll in relevant (training) courses offered by the Doctoral Schools of Hasselt University.
- For all candidates: a desk in a shared office with all necessary facilities (including your own laptop, docking station and screen) at Hasselt University, where you will be part of a small research team working on related topics. You will also travel to and collaborate with the other members of the iBOF project on a regular basis.
- Hasselt University offers several social benefits to which all staff have access, such as commuter allowances and access to university restaurants. More information on remuneration can be found [here](#), on working conditions [here](#) and on PhD research [here](#).

## INSTITUTIONAL EMBEDDING

### Hasselt University

[Hasselt University](#), ranked 46<sup>th</sup> among young universities in the world, is more than its seven faculties, four research institutes, three research centres, 6,500 students and 1,400 researchers and staff. As a civic university, we assume our responsibility and share our knowledge in ways that benefit society. Strong public engagement was, is and always will be at the core of who we are and what we do. We aim to make our society smarter, more agile and more just. We do so through education, research and technology transfer.

An honest and respectful attitude comes first in everything we do at Hasselt University. We act with impartiality – openly, ethically and independently – and with respect for one another and for our environment. We are determined to (help) solve problems and seize opportunities – whatever the circumstances. We believe that the future is sustainable and that solutions must be too. We believe that an open and critical spirit and broad-mindedness are essential for a well-functioning academic community. We put the truth first, embrace new ideas and welcome fresh insights. We dare to do things differently and to do different things.

### Faculty of Law

The Faculty of Law provides problem-based education in law (Bachelor + Master), in collaboration with KU Leuven and Maastricht University. The academic research of Faculty staff, channeled through the Centre for Law and Government (CORE), aims to understand and improve the role of law in a rapidly evolving world. In doing so, CORE offers building blocks to improve our societies at the national and supranational level. The selected candidate will be based at the Constitutional Law Unit of CORE, which houses extensive expertise in – amongst others – human rights.

## HOW TO APPLY

To apply, please send us:

- A **CV** (including any professional experience, publications and academic presentations);
- A **cover letter** (maximum 500 words) in which you explain how your education, research experience and motivation make you a good candidate for this position;
- A **short research proposal** (maximum 500 words) in which you explain how you would approach the research (ie. what you will research, why you will research it and how you will do so);
- For pre-doctoral candidates: a copy of your university degree(s) and transcripts of your grades

- If you hold degrees in a language other than Belgium’s national languages (Dutch, French or German) or English, please add a translation in English;
- For postdoctoral candidates: a copy of your university degree(s) and PhD degree.
  - If you hold degrees in a language other than Belgium’s national languages (Dutch, French or German) or English, please add a translation in English;
- Contact details for **two academic references** (e.g. supervisor of Master thesis or PhD dissertation)
- A **writing sample** on a relevant topic (10.000 words maximum, if possible in English and ideally an academic publication, research paper or part of a Master thesis or PhD dissertation).

Applicants should submit these documents as **one pdf file** via **email** directly to [stijn.smet@uhasselt.be](mailto:stijn.smet@uhasselt.be). Please use subject line “Application iBOF PhD WP1.2” (for pre-doctoral candidates) or “Application iBOF postdoc WP1.2” (for postdoctoral candidates). We may not be able to process applications that do not include all necessary documents.

The deadline for applications is **21 March 2021**.

The foreseen starting date is **1 November 2021**.

Candidates with questions are encouraged to contact prof. dr. Stijn Smet at [stijn.smet@uhasselt.be](mailto:stijn.smet@uhasselt.be).

## EVALUATION PROCEDURE

We will review all applications and will select, on the basis of the submitted dossier, a **longlist** of applicants who will be invited to do a home-based written assignment.

The written assignment will be given 2-3 weeks after the closing date of the vacancy. Longlisted candidates will have a limited time to complete the assignment, but will be contacted in advance to allow them to rearrange their schedule if needed. Candidates who need special facilities can indicate this, and we will try to accommodate their request.

On the basis of the assignment, a limited number of **shortlisted** applicants will be invited for an interview in Hasselt or through video conference, likely in the last week of April / first week of May. Video conferencing will in any event be available, upon request, for international applicants or those who prefer to use this option. During the interview, we will assess the relevance of your experience for this project, your suitability to conduct doctoral or postdoctoral research as part of a broader team, and gauge the extent to which you meet the requirements listed above.

The evaluation will be carried out by the future supervisor (prof. dr. Stijn Smet), in collaboration with members of the research project’s steering group. If we believe that your skills and expertise are better suited for one of the other vacancies on the project, we will be happy to pass this information on to the concerned supervisor. If you object to your application being considered for other positions, please state so in your cover letter.

Pre-doctoral and postdoctoral candidates will be assessed on an equal basis. Neither category will have a pre-existing advantage over the other. We will hire the candidate who holds the best promise – based on their dossier, their performance during the evaluation procedure *and* taking into account their level of experience – to conduct the kind of research we are looking for (either during 4 years for doctoral candidates or during 2 years for postdoctoral candidates).

## **DIVERSITY**

We ensure equal opportunities, equal treatment and equal access to the vacancies for all who apply. We ensure an objective and non-biased assessment procedure. Origin, ethnicity, gender, age, employment disability, sexual orientation and other identity factors will not be a factor in assessing your competences. Candidates who self-identify as belonging to disadvantaged or minority groups are strongly encouraged to apply.

## **ADDITIONAL INFORMATION**

For more information about this position, please write prof. dr. Stijn Smet at [stijn.smet@uhasselt.be](mailto:stijn.smet@uhasselt.be).

For more information about the project, click [here](#). For the other vacancies, click [here](#).