Two ERC Doctoral Scholarships 2020: PROPERTY[IN]JUSTICE

**Closing date/time: Friday, 15 May 2020, 5pm (Ireland)**

PhD commence: September 2020 in Sutherland School of Law, UCD, Ireland

Stipend: €22,000 per annum

Fees covered: up to non-EU rate

Two doctoral scholarships are available as part of a new ERC-funded project entitled *Land, Property and Spatial Justice in International Law*, based at the Sutherland School of Law, University College Dublin.

The successful candidates will have the opportunity to participate in an interdisciplinary and comparative research project investigating how international law facilitates justice and injustice through its treatment of land as property. The two PhDs will deal respectively with 1) international investment law and 2) international environmental law.

**Project Description**

Globalization has significantly affected the ways in which communities in many parts of the world interact with and access land and resources – from changing farming patterns due to international trade agreements, to collective tenure and customary rights in landscapes that are simultaneously the location of large-scale resource extraction projects. At the same time, normative developments in the field of human rights and environmental protection provide for the recognition of communities’ rights to ancestral and communal lands, as well as the free, prior and informed consent of communities in order to conduct activities on such lands. Yet the abstract notion of ‘property’ rights in international investment law (land as commercial asset) often collides with the ‘lived-in’ property rights of people and communities on the ground. Property has long been an important issue in international legal ordering but despite its centrality, its impact on people-place relations remains under-scrutinized in the international law scholarship.

The PROPERTY[IN]JUSTICE team will scrutinize the concept, definition and interpretation of property rights across international law in relation to land. They will not only examine the international human rights, environmental and cultural heritage law frameworks, but also specific areas of international economic law, including investment, that converge and diverge with spatial justice in the realm of land-based projects and policies. Lastly, the project will also ascertain to what extent a reconceptualization of property can contribute to transforming international law from ‘tool of empire’ to vehicle for change.

**Description of PhD Scholarships**

The first PhD position (ref- PROPERTY[IN]JUSTICE PhD1) will focus on analysing the way in which international investment law facilitates the treatment of land as commodity (commercial property) as well as the leverage it provides in the spheres of human rights and environmental protection. An important aspect of this project is socio-legal research into the operation of investment treaties entailing competing claims to land. States have increasing obligations to ensure that land tenure and environmental standards are not adversely affected by investment, but to what extent are these considered in investment treaties? And what are the barriers to and/or scope for including them in the future? The successful candidate for PhD1 has a Masters degree in law and preferably also some background in other social sciences. Research experience in international investment law and/or land rights may be an added benefit.

The second PhD position (ref-PROPERTY[IN]JUSTICE PhD2) will focus on the procedural rights relating to land as natural and cultural environment. While the law is crystallising in this area, the impact of procedural environmental rights is still largely unexplored in relation to land-based projects and policies. It is envisaged that PhD2 will examine the extent to which normative developments have affected change on the ground. To what extent can procedural rights protect common interests in collectively tenured land, landscapes or commons more broadly? Can procedural rights make up for the social deficit of property rights in land-based policies and programmes? The successful candidate for PhD2 has a Masters degree in law and preferably also some background in other social sciences. Research experience in procedural rights or environmental justice may be an added benefit.

Both PhD projects envisage some socio-legal research involving the analysis of case studies (land disputes) in Europe, Africa and Latin America. The candidates must therefore be willing to carry out fieldwork in years 2 and 3 of the project. Prior experience in ethnographic, sociological or socio-legal methods may be an advantage.

The project is led by [Dr Amy Strecker](https://people.ucd.ie/amy.strecker), who will act as supervisor to the successful candidates.

The scholarships will provide tuition fees at up to the non-EU rate and **a yearly stipend of €22,000.** Funding will also be available to cover fieldwork and dissemination during the course of the project.

The scholarships are tenable for a maximum of four years, renewable each year subject to satisfactory progress. The scholarships are available to full time students commencing their doctoral studies in **September 2020**.

The scholarships are open to Irish, other EU and international applicants.

**Application Process**

Please complete an on-line University Postgraduate application available at <http://www.ucd.ie/registry/admissions/apply.html> by the deadline.

Please also send a cover letter (max. 2 pages) explaining why you wish to undertake a PhD as part of this project at the UCD School of Law, *and* a short research proposal (max. 5 pages) outlining two potential case studies in either Africa, Latin America or Europe.

*To note:* the case studies, which will involve field visits and interviews, may include – but are not limited to – land disputes between local communities and large-scale investment (i.e. either investor state-arbitration / national cases invoking international law). **NB.** The jurisprudence of the Inter-American Court of Human Rights dealing with the right to property is already being covered and need not form the basis of any research proposal for the PhD positions.

Interested applicants may contact Dr Strecker ([amy.strecker@ucd.ie](mailto:amy.strecker@ucd.ie)) to request further information about the project.

In addition to the cover letter and research proposal you must submit the following documents:

1. A recent sample of the candidate’s academic writing.
2. Two academic references: Please note that it is your responsibility to contact your referees to ensure that references are received before the closing date/time for this scholarship.
3. Applicants whose first language is not English must submit satisfactory evidence of competence in written and spoken English, i.e. overall IELTS 6.5 (including a minimum of 6.5 in the reading and writing parts and no part below 6.0) or 90 in the TOEFL iBT (with a minimum of 22 (reading) and 24 (writing) and no part below 20.) The test results must be less than 2 years old.
4. All academic transcripts.

The cover letter, research proposal and above documents can be sent as email attachments to Ms. Niamh McCabe, Graduate Programme Manager, Sutherland School of Law, UCD: [niamh.mccabe@ucd.ie](mailto:niamh.mccabe@ucd.ie). If you have queries on the scholarships please contact Ms. McCabe at the above email address.

Late applications will not be accepted for the scholarship.