



GEM DIAMOND

# PhD POSITION IN COMPARATIVE & EUROPEAN LAW

Fellowship Call for Application

DEADLINE: July 3rd, 2022 – 17.00 CET

EARLY-STAGE RESEARCHER 5

**National and European courts reacting to dissensus:  
*The case of fundamental rights protection***



UNIVERSITY OF  
COPENHAGEN



fidh



Doctoral Fellowships are funded as part of a European Joint Doctorate supported by the European Commission's Marie Skłodowska-Curie Action.

## RESEARCH PROJECT

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### ENVIRONMENT

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This 3-Year-long doctoral fellowship is offered as part of a specific collective project within a multiannual international research effort on **Globalisation, Europe, and Multilateralism (GEM)**. This project (2022-2026), coordinated by the Institut d'études européennes (IEE) at the Université libre de Bruxelles (ULB), will assess the EU's capacity to act given the challenges facing **Democratic Institutions**, the rise of **Alternative MOdels** and mounting **Normative Dissensus (DIAMOND)**.

**GEM-DIAMOND** is a *Marie Skłodowska Curie Action - Doctoral Network* (MSCA-DN) involving 7 European and 4 international degree-awarding Higher Education Institutes (HEIs) alongside 6 well-established non-academic institutions. The project will hire and train 16 doctoral fellows to help address knowledge gaps associated with the growing normative tensions undermining multilateral and democratic practice – for further information see [www.gem-diamond.eu](http://www.gem-diamond.eu).

GEM-DIAMOND's overall research program will collectively tackle three shared knowledge gaps regarding contemporary strains on liberal democracy:

- **Objective 1:** Conceptualising the seemingly mounting dissensus surrounding liberal democracy.
- **Objective 2:** Unpacking the ambiguous role different actors can play as both champions and challengers of liberal democratic norms, values and practices.
- **Objective 3:** Assessing the impact of increased dissensus regarding liberal democracy on the policy instruments of the EU and its capacity to act in its internal and external policies.

Early-Stage Researcher n°5 (**ESR5**) is part of **GEM-DIAMOND's** 2<sup>nd</sup> Work Package (WP2) entitled '*Unpacking actors of dissensus*'. WP2 includes 4 individual doctoral projects that will help map the network of actors of dissensus as each IRP will work on a specific type of actor.

Both individually and collectively, the 4 PhD fellows associated with WP2 will help with the *mapping of the main actor networks* that play a role in contemporary dissensus regarding liberal democracy in Europe. Centred on the multi-level European polity, WP2 will identify the challengers seeking to transform democratic and rule of law practice, be it either to undermine existing liberal democratic regimes in an anti-liberal perspective or to recast them through new forms of participation and deliberation. The four PhD fellows involved will adopt an actor-centric approach, with each Researcher focusing on a specific type of actor. Ultimately, WP2 will **map and analyse the legal, political, societal, and technocratic actor networks active within the EU institutions and its MS** driving dissensus in the EU.

## INDIVIDUAL RESEARCH PROJECT (IRP)

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Entitled '*National and European courts reacting to dissensus: The case of fundamental rights protection*' the individual research project of **ESR5** is in the fields of **Comparative** and **European Law**.

**ESR5** will focus on legal actors. This IRP will investigate judicial institutions in Europe and their role in the protection of fundamental rights, analysing the emerging trends of cooperation and conflict between national courts and European courts, including the reference made to the protection of the "constitutional identity" of Member States. It aims to show whether the courts in Europe have adopted a common understanding of the rule of law in relation to the protection of constitutional rights or whether they opted to highlight elements of dissensus - e.g., regarding gender-related issues. It also aims to investigate and analyse conflicts between domestic and EU law, and the role of courts in ensuring their resolution and the respect for the principle of primacy of EU law over national law in cases related to the rule of law and fundamental rights.

**As part of their application, candidates will be asked to submit a personal interpretation of the research project in the form a specific project proposal of 2-3 pages, including a research question, a theoretical framework, a methodological strategy, and a justification for the empirical choices envisioned.**

## OBJECTIVES

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ESR5 will:

- Be hired for 36-months by LUISS as a Doctoral Researcher
- Work under the direction of a Joint Supervisory Trio involving:
  - **Pr. Giovanni Piccirilli** (LUISS) – Co-Supervisor
  - **Pr. Mikael Madsen** (UCPH) – Co-supervisor
  - **Ms Elena Crespi** (FIDH) – Non-Academic Mentor
- Individually work towards a double doctoral degree in 'Law' under the joint supervision of Pr. **G. Piccirilli** (LUISS) and Pr. **M. Madsen** (UCPH)
- Provide a legal perspective to the collective work in WP2 seeking to map of 'actors of dissensus' in Europe
- Participate in all collective research and training activities and submit to the program's regular joint evaluations
- Participate and contribute through research to rule of law related documentation and advocacy, particularly at the EU level, and to building capacity for civil society organisations in EU countries.

## EXPECTED RESULTS

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ESR 5 will:

1. Complete the Scheduled Mobility Agenda:

- a. Training & Research Stay @ LUISS (Oct. 2022 - Aug. 2023)
  - b. Training & Research Stay @ UCPH (Sept. 2023 - Avril. 2024)
  - c. *Research Stay @ LUISS (May. 2024 - Oct. 2024)*
  - d. Non-Academic Secondment @ FIDH (Nov. 2024 - Feb. 2025)
  - e. *Research Stay @ LUISS (March 2025 - Sept. 2025)*
2. Successfully accomplish the doctoral training scheduled both at the local and GEM-DIAMOND levels.
  3. Secure a doctoral training certificate from LUISS and UCPH
  4. Contribute to a WP2 '**Joint Mapping of Actors of Dissensus**'
  5. Contribute to two-project wide manuscripts:
    - a. A Handbook on 'Rethinking Impact in Political & Social Sciences'
    - b. An Edited Volume reflecting the shared conclusions of the project
  6. Submit an article to the European Constitutional Law Review (ECLR)
  7. Write an original PhD dissertation on 'National and European courts reacting to dissensus: *The case of fundamental rights protection*'
  8. *Contribute to at least 1 research and/or advocacy and/or training activity during the non-academic secondment.*

#### CO-SUPERVISORS

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**Pr. Giovanni Piccirilli**  
E-mail : [gpiccirilli@luiss.it](mailto:gpiccirilli@luiss.it)

**Pr. Mikael Madsen**  
E-mail : [mikael.madsen@jur.ku.dk](mailto:mikael.madsen@jur.ku.dk)

#### HOST INSTITUTIONS

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LUISS – Guido Carli (IT)

UCPH (DK)

#### PHD PROGRAMME

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PhD in Law and Business

PhD in Law

#### TRAINING AND MOBILITY

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##### MOBILITY PROGRAMME

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- *Oct. 2022 - Aug. 2023 @ LUISS (Rome, Italy)*
- *Sept. 2024 - Avril. 2024 @ UCPH (Copenhagen, Denmark)*
- *May. 2024 - Oct. 2024 @ LUISS (Rome, Italy)*
- *Nov. 2024 - Feb. 2025 @ FIDH (Brussels, Belgium)*
- *March 2025 - Sept. 2025 @ LUISS (Rome, Italy)*

##### TRAINING PROGRAMME

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- 2022-2023 (Y1): Methodological training @ LUISS + GEM-DIAMOND Joint activities
- 2023-2024 (Y2): GEM-DIAMOND Joint activities

- 2024-2025 (Y3): GEM-DIAMOND Joint activities

## NON-ACADEMIC SECONDMENT

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Year 3 (Nov. 2024 - Feb. 2025)

Non-Academic Secondment at the Brussels Office of the **International Federation for Human Rights (FIDH)** (Brussels, Belgium)

Non-Academic Mentor: **Elena Crespi**

E-mail: [ecrespi@fidh.org](mailto:ecrespi@fidh.org)

## POST DESCRIPTION

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### TITLE

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Marie Curie Doctoral Fellow

### HIRING INSTITUTION

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LUISS - Guido Carli (Rome, Italy)

### DURATION

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36 Months (1 October 2022 – 30 September 2025)

### INCOME

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4000€ Gross per month (48.000€ / year).

*NB: this is a gross EU contribution to the salary cost of the researcher. The net salary will result from deducting all compulsory (employer/employee) social security contributions as well as direct taxes.*

### ADDITIONAL BENEFITS

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Full Social Coverage

Travel & Research Funds

Family Allowance per month - *When applicable*

## REQUIREMENTS

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### DEGREE

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Top level graduate degree (Master or equivalent providing access to PhD programs - EQF Level 7). Having a background in Law will be a plus.

## MINIMAL CREDITS

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Applicants must submit at least one diploma meeting one of the following requirements: (1) a two-year master program (120 ECTS) or equivalent, (2) a one-year graduate program following a prior undergraduate degree if both diplomas total at least 300 ECTS or equivalent; (3) a single four-year higher education program offering 300 ECTS or more.

## LANGUAGE

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English proficiency must be attested either through a previous English language diploma, or an internationally recognised proficiency test (i.e., IELTS, IBT, TOEFL or Cambridge). Proficiency in other EU languages, particularly French and in the languages spoken in the target countries e.g. Hungarian, Polish, Romanian) would be an asset.

## CAREER

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The researcher should be in the first four years of their research careers at the time of recruitment and have not been awarded a doctoral degree so far.

## SPECIFIC SKILLS

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Academic proficiency in English attested through a writing sample (e.g., a master thesis, university assignment). Proficiency in any other EU languages relevant to the project, attested through a writing sample, would be considered an asset.

## MOBILITY

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At the time of recruitment, the researcher must not have resided, or carried out his/her activity in the country of the first host institution (i.e. Italy) for more than 12 months cumulatively in the 3 years prior to October 2022

## NON-DISCRIMINATION

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No discrimination will be made on the base of nationality, gender, race, religion, or disability.

## APPLICATION

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Complete and timely submission via the on-line application system.

## HOW TO APPLY

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### MAY 20th, 2022 TILL JULY 3rd, 2022

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Online application system open and accessible through the GEM-DIAMOND website ([www.gem-diamond.eu](http://www.gem-diamond.eu))

BY JULY 3rd, 2022 17.00 CET

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Candidates must apply through the GEM-DIAMOND online application system, which will request the following information:

1. A personal profile form (incl. CV overview)
2. A scientific profile form (incl. ESR's expression of interest, statement of motivation and personal interpretation of the research project)
3. A full academic CV
4. An academic record with scan of the degree qualifications
5. A proof of language proficiency
6. Two academic recommendation letters

BETWEEN JULY 11th & JULY 20th 2022

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Shortlisted candidates will be invited to an online interview with their supervisory trio (two academic supervisors + internship mentor).

BY JULY 21st 2022

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Shortlisted candidates will be informed about final decision.  
This offer is conditional to the signature of the Grant Agreement.

BY OCTOBER 31st 2022

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Selected candidate to arrive at the LUISS-Guido Carli (Rome, Italy) to start his/her training and research.

**Project Management Office (PMO)**

c/o Institut d'Études Européennes Université libre de Bruxelles (ULB CP172)  
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