

NOTICE 12176/2020

(Diário da República No. 163 of 21 august)

Opening of an application process to select and recruit a postdoctoral researcher for CEDIS – the Research Center on Law and Society of NOVA School of Law

1. At its meeting of 15 April 2020, NOVA School of Law's Scientific Council approved the opening of an international application process to select and recruit 1 (one) postdoctoral researcher for CEDIS – the Research Center on Law and Society of NOVA School of Law, funded by the Foundation for Science and Technology (FCT) through CEDIS Programatic Funding (Project Reference nº UIDP/00714/2020). The opening of this application process, as well as the Selection Committee selection, were authorized by the Rector of NOVA University, Lisbon, by Administrative Order July 2, 2020.
2. Applicable legislation: Law of Scientific Employment approved by Decree-Law 57/2016, of 29 August, as amended by Law 57/2017, of 19 July (hereinafter "LSE") and as further developed by Regulatory Decree 11-A/2017, of 29 December, and Labour Code approved by Law 7/2009, of 12 February (in its current version); Regulation of NOVA University 393/2018, of 28 June.
3. Under the terms of article 16 of LSE, the current application process is exempted from the authorization of Government members responsible for finance and public administration areas, namely that referred to in article 7 of the Law of General Labour in Civil Service, and also from obtaining the prior favourable opinion of the same Government members, as referred to in article 30(5) of the Law of General Labour in Civil Service, as well as from the procedure to reinstate employees in a situation of professional enhancement.
4. Applications are welcome in **all scientific areas**.
5. Characterization of the position: the hiring of the post-doctoral researcher falls within NOVA School of Law's design to further the goals of strategic development and strengthening of the scientific research carried out at CEDIS. Hence, although applicants will be assessed solely on merit, preference will be given to applicants whose background and research interests best match those of the current resident professors of NOVA School of Law and therefore best allow them to engage in team-based research and dissemination of knowledge within CEDIS.

6. For the purpose of the above preference, the following is a **list of focal points** of the research currently carried out at CEDIS and/or to be carried out in the near future at CEDIS. Focal interests are organized alphabetically, within each of the three following broad areas of knowledge:

Public Law

- Administrative offenses;
- Digital economy impact on taxation;
- Digitalisation of criminal law;
- EU data protection law at the Observatory of Data Protection;
- Europeanisation of criminal justice;
- Happiness and wellbeing as an objective of the Public Finances;
- Human rights, mass atrocity and international criminal justice;
- Legislative impact assessment within the research of the Observatory of Portuguese Legislation;
- New times, new crimes: new criminal laws?
- Public-private social partnerships as a path to State reform;
- Transitional justice, transitional law and human rights (with special regard to past human rights violations, reparations, truth, justice, non-repetition, reconciliation, nation-building, constitutional and legislative reform).

Private Law

- Consequences of technological innovation in traditional civil law theory;
- Contractual structure in online marketplaces (e.g. Amazon, Airbnb);
- COVID-19 and its effects on existing consumer contacts;
- Digitalisation, human work and labour law (new forms of business organisation; AI and remote work, telework and smart work);
- International standards in international arbitration, from emergency relief to negative inferences;
- Legal responsibility of companies for adverse human rights and environmental impacts arising out of their activities or supply chains;
- Multidisciplinary studies in procedural law, from insolvency to other types of proceedings;
- Safety and health related risks associated with digital work (with a focus on the impact of new disruptive technologies on workers' privacy and work life balance);
- Sale of consumer goods, supply of digital content and digital services, digital platforms (Directives 2019/770; 2019/771; 2019/2161);

- Technological innovation in financial markets and its impact on general contract law;
- The use of algorithms in the formation, management and execution of contractual clauses;
- The use of scientific evidence in legal adjudication (legal decisions).

Law & Metajuridical Sciences

- Ethical and legal regulatory framework of new scientific and technological developments;
- Legal, political, historical and socio-cultural dimension of lusophone studies;
- Mapping of both the emancipationist and the exclusionary aspects of Portuguese modern and contemporary legal culture and Portuguese judicial practices in the metropole and in colonial territories (with a focus on the liberal period);
- Mapping of judicial structures and the interactions between the Portuguese and the local “customary law” in modern and contemporary Portuguese colonial territories in America, Africa and Asia;
- Protection against unfair age, gender, health and genetics discrimination;
- Socio Security and extractive politics in insurgent regions: can extractive industry thrive during insurgencies? The cases of Cabo Delgado Cabinda, and the Niger Delta;
- -political perspective of novel technological developments in the field of human security studies;
- Words as deeds: from online to offline violence: analysis of the weaponization of social media by non-state actors and possible regulatory security mechanisms.

7. The selected post-doctoral researcher must:

- 7.1 Produce, submit and publish, individually and/or in collaboration with other researchers of CEDIS, scientific articles, chapters in collective works and books, preferably in English, thus contributing to the achievement of the predicted scientific productivity indicators of CEDIS;
- 7.2 Participate, with scientific communications developed individually or together with other project researchers, at arbitrated scientific meetings;
- 7.3 Help to draw, implement and maintain up-to-date online advertising devices with results of the research, namely the center’s website; contribute to the identification and content collection for the website, together with other members of CEDIS;

- 7.4 Manage online publication of activities and research results in social networks;
 - 7.5 Organize scientific and dissemination events within the research's scope and assist resident professors in the coordination of research activities for CEDIS.
8. The post-doctoral researcher will be hired under an **employment contract for an uncertain term**, in accordance with the Labour Code legislation, in accordance to article 6(1)(b) of LSE, for a **maximum period of 6 (six) years**.
 9. In accordance with article 2(1) of Regulatory Decree 11-A/2017, of December 29, the monthly remuneration to be attributed initially corresponds to level 33 of the Single Remuneration Table, corresponding to the monthly amount of 2.134,73 €.
 10. The work place is based at NOVA School of Law, Travessa Estevão Pinto, Campus Campolide, 1099-032 Lisbon, and/or any other places necessary for the development of the research activities.
 11. Admission requirements to the present procedure are:
 - 11.1 A PhD degree in any scientific area.

If the doctorate has been awarded by a foreign educational institution, recognition procedures must have been completed at the time the scientific employment contract is entered into;
 - 11.2 A scientific and professional curriculum that reveals an adequate profile to the development of some of the research focal points listed above and the publication of results in international, peer-reviewed highly reputed legal journals indexed in Scopus and/or in Web of Science;
 - 11.3 Mastery of spoken and written English.
 12. The application must include the following documentation, which must be delivered in digital format, under penalty of exclusion:

Application form, available at http://novalaw.unl.pt/wp-content/uploads/2020/07/EDITAL-INVESTIGADOR_formulario_12346_D-EN-1.pdf

 - 12.1 with the explicit mention of the present procedure;
 - 12.2 Certificate evidencing the holding of PhD degree;
 - 12.3 Curriculum vitae organized according to the evaluation and classification criteria set forth in this Notice.

- 12.4 A copy of the three publications considered most relevant by the candidate for the purposes of this procedure;
- 12.5 The research project that the candidate plans to develop (maximum of 25,000 characters).
13. Applications, duly instructed with the documents mentioned above, must be delivered within 15 business days as from the day immediately following the publication of this Notice in the Portuguese Official Gazette, or sent by registered post until the last day of the deadline, to the following address NOVA School of Law, NOVA University, Lisbon, Travessa Estêvão Pinto, Campus de Campolide, 1099-032 Lisbon, Portugal.
14. The selection of the post-doctoral researcher takes place through the evaluation of the candidates' scientific and curricular background. In generic terms, this evaluation focuses on the relevance, quality and actuality of:
- a) the scientific production of the last five years deemed more relevant by each candidate to the position that is in competition, and the research activities carried out in the last five years and deemed by each candidate as having the greatest international impact;
 - b) the activities of extension and dissemination of knowledge developed in the last five years, in particular in the context of the promotion of scientific practices deemed by each candidate to have the greatest relevance to the place in competition;
 - d) the activities of scientific project management.
15. The period of five years referred to in the previous paragraph may be increased by the Selection Committee, by request of the candidate, in case of the scientific activity was suspended for socially protected reasons, in particular for reasons of parental leave, serious prolonged illness, and other legally protected situations of work unavailability.
16. The candidates' classification system is expressed on a scale of 0 to 100 points.
17. Applicants will be assessed **solely on merit**, their scientific production being appreciated for its **intrinsic quality** rather than on a strictly quantitative basis, and **adequateness to the pursuit of research in the above listed focal points** being of essence, taking into account the following relative weight:
- a) Criterion set forth in 13(a) above: 0-50 points;
 - b) Criterion set forth in 13(b) above: 0-30 points;

c) Criterion set forth in 13(b) above: 0-20 points.

The final classification is determined by the application of the following formula: $CF = CritA + CritB + CritC$

18. The evaluation process may include an interview to all or some of the candidates, as deemed convenient by the Selection Committee, interviews being intended solely to clarify any issues related to the results of their research in order to ensure rigorous assessment according to the criteria and weightings mentioned above and shall not result in the attribution of any autonomous points.

19. In accordance with Article 13 of LSE, the Selection Committee is composed of the following members:
 - Chair: Professor Armando Marques Guedes, Full Professor of NOVA School of Law and Director of CEDIS.
 - Effective members: Professor Mariana França Gouveia, Full Professor and Dean of NOVA School of Law; Professor Margarida Lima Rego, Associate Professor and Vice-Dean of NOVA School of Law; Professor Francisco Pereira Coutinho, Associate Professor and Vice-Dean of NOVA School of Law; Professor Athina Sachoulidou, Assistant Professor of NOVA School of Law and member of the Board of Directors of CEDIS.
 - Substitute members: Public Law: Professor Helena Pereira de Melo, Associate Professor with Aggregation of NOVA School of Law; Professor Vera Eiró, Assistant Professor of NOVA School of Law; Private Law: Professor Vítor Neves, Assistant Professor of NOVA School of Law; Professor Miguel Azevedo Moura, Assistant Professor of NOVA School of Law; Law and Metajuridical Sciences: Professor Soraya Nour-Sckell, Associate Professor of NOVA School of Law; Professor Cristina Nogueira da Silva, Associate Professor of NOVA School of Law.

20. Assessment of application:
 - a) After the application deadline, the Selection Committee meets, either in person or by telematic means, to verify the admission requirements of the applications, and to take measures to schedule interviews with eligible candidates, to the extent deemed convenient.
 - b) Applications that have been approved by the majority of the members of the Committee are accepted for candidature.
 - c) Candidates who are not approved will be notified to exercise the right to be heard within 10 working days, under the terms of the Administrative Procedure Code.

- d) Once the candidates have been accepted, the candidates are called for an interview by the Selection Committee, to be held in person or by telematic means, in cases where further clarification is deemed necessary.
- e) On completion of the interviews, if held, the Committee meets in person to evaluate and rank the candidates, producing a written report based on the final ranking of those candidates selected.
- f) Each member of the Committee orders the applications in decreasing order of merit, assigning to each application an overall rating on the scale of 0 to 100, resulting from the sum of the partial ratings attributed to the weighted elements.
- g) Ranking of the candidates is voted on by the members of the Committee, each member casting votes in accordance with their own ranking of candidates, except where errors of judgment are found and corrected during the discussion within the Committee.
- h) The final ranking of those candidates accepted is determined as follows:
 - i. The first ballot is to determine which candidate to rank first, and in this vote, if a candidate obtains more than half of the votes to be placed first, they shall be placed in that position;
 - ii. If the situation referred to in the point above does not apply, a new ballot shall be held among those candidates who obtained votes for 1st position, after having withdrawn the candidate with the fewest votes for that position in the previous ballot;
 - iii. If there is more than one candidate to withdraw due to an equal number of votes with a minimum of one vote each, a vote is taken only on these to determine which candidate to withdraw from the next ballot. In this vote, each member shall vote from among the candidates with equal votes holding the lowest position; in the case of a tie, the tiebreaker shall be made by the casting vote of the Chairperson of the Committee;
 - iv. The voting shall be repeated until the first candidate is determined; if only two candidates are left, and each of them obtains half of the votes, the tie-breaker is made through the casting vote of the Chairperson of the Committee;
 - v. Once the candidate has been selected for first place, they are removed from the voting, and the whole process is repeated to determine the second place, and so on until the final list of candidates is obtained.
- i) Only candidates with a rating equal to or higher than 50 by an absolute majority of the members of the Committee are ranked, while those candidates with a rating lower than 50 are excluded.

- j) Candidates who have not been ranked in this call for applications shall be notified to exercise their right to be heard within 10 working days, under the terms of the Administrative Procedure Code.
- k) After the hearing, the Selection Committee approves the final ranking of candidates, the candidate placed on 1st place being invited to enter into a contract in accordance with the law and the terms of this Notice.

31 July 2020, *The Dean, Professor Mariana França Gouveia*