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AYUDAS RAMÓN Y CAJAL CONVOCATORIA 2020

Turno de acceso general

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Área Temática: Derecho
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Título:

The Law of Borders, Security and Forced Migration: Accessing Rights and International Protection - Global and European Perspectives

Resumen de la Memoria:

My primary area of expertise is in international and European refugee and migration law, where I have established myself as a leading voice, with over 50 publications in top-rank, high-impact outlets, including e.g. the Journal of Common Market Studies, the Human Rights Law Review, the Journal of International Criminal Justice, and the International and Comparative Law Quarterly. My monograph: Accessing Asylum in Europe (Oxford University Press, 2017) has become a main reference in the field, nominated for the SLS Book Prize and shortlisted for the UACES Best Book Prize. It investigates the impact of pre-border controls on refugee rights under EU law, drawing on interdisciplinary literature on border and security studies, concluding to the existence of a right to flee that should translate into the incorporation of refugee-specific means of safe and legal travel for access to international protection in Europe.

A second major focus of my research is on boat migration, where I have published several influential articles and co-led the first holistic project and resulting edited collection. Boat Refugees and Migrants at Sea (Brill, 2016), co-edited with Papastavridis, examines the intersection between humanitarian and security concerns in the maritime context and proposes a comprehensive approach to legal interpretation and policy implementation as the best way to reconcile competing interests. This approach buttresses the Search and Rescue Observatory for the Mediterranean (SAROBMED) project, which I coordinate as a research in action hub, gathering researchers and stakeholders across disciplinary fields to record, analyse and disseminate knowledge on human rights violations that occur during rescue/interdiction incidents at sea.

A third aspect of my work, published in the German Law Journal, the Leiden Journal of International Law, and the International Journal of Refugee Law, among others, centres on State responsibility and the responsibility of international organisations in relation to mechanisms of "collaborative deterrence" of forced migration flows, whereby multiple actors/States/organisations cooperate, using means of "contactless control". This line of work culminates with a proposal for a new model of "functional jurisdiction" that avoids the evasion of human rights obligations and explores its implications.

Building on these three strands of my expertise, I will spend the time of the Ramón y Cajal Fellowship investigating the phenomenon of criminalisation of maritime rescue, completing the Humanitarian Smuggling book project for publication within the Law in Context Series of Cambridge University Press. I will rely on the theories of cosmopolitanism (Benhabib), crimmigration (Stumpf) and humanitarianization (Walters) to determine whether "unauthorised rescues" should be considered a duty, a crime, or a right, utilizing legal-doctrinal techniques alongside interdisciplinary discourse analysis methodologies to unpack the process of norm contestation (Wiener) confronting EU coastal States to maritime rescue civil-society organisations in the Mediterranean.

Resumen del Currículum Vitae:

I am a Reader in Law at Queen Mary University of London, where I have founded the Centre for European and International Legal Affairs (CEILA) and the Immigration Law Programme. I am also Visiting Professor of the College of Europe and Fernand Braudel Senior Research Fellow at the Law Department of the European University Institute. I have previously held academic positions at the Universities of Liverpool, Oxford (Faculty of Law, St Hilda's College, and Refugee Studies Centre), Louvain, as well as Visiting Fellowships at the Max Planck Institute in Comparative Public and International Law, the Ghent European Law Institute, the Refugee Law Initiative of the University of London, King's College Centre for European Law, Macquarie Law School, the Kaldor Centre for International Refugee Law of the University of New South Wales, and the Migration Law Centre of the University of Nijmegen. I was selected member of the 2010 session of the Research Centre of The Hague Academy of International Law, have received the Odysseus Young Researcher Prize for outstanding scholarship in legal studies in immigration and asylum in Europe, and have been nominated for the prestigious Leverhulme Prize.

My primary area of expertise is in international and European refugee and migration law, where I have established myself as a leading voice, with over 50 publications in top-rank, high-impact outlets. But I also cultivate interests in EU law and in key aspects of public international law. My diverse body of publications attests to the inter-disciplinary character of my work. While taking law as my main foundation, I draw on politics, philosophy and critical geography to enrich my analysis, offering unique insights into the relationship



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between sovereignty, security and individual rights in the context of cross-border movement and forced displacement. Through my research, I have made significant advances in legal interpretation and policy design that have received widespread recognition within and beyond academia, on account of which I regularly act as expert consultant for multiple organisations, including UN bodies, the European Institutions, the International Bar Association, and the Red Cross. I have been able to attract research funding in excess of 300K, to nurture significant international research collaborations, and to inspire 10 PhD students to work under my supervision. Several appointments to editorial and advisory boards (e.g. to the OA journal of Refugees & Conflict and to the European Journal of Migration and Law) as well as regular invitations to speak at prestigious venues, including the University of Oxford, Yale Law School, Columbia University, and the Annual Conferences of the American and European Societies of International Law further attest to the widespread appreciation of my research.



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Área Temática: Derecho

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Título:

Responsabilidad, acción y normatividad. Las bases sociales de la agencia y el derecho

Resumen de la Memoria:

Mi trayectoria comenzó en mis estudios de pregrado como asistente de investigación, luego, en 2015 me doctoré con una beca de la Universitat de Girona y entre 2015 y 2017 realicé una investigación posdoctoral financiada con un proyecto FONDECYT. En 2017 fui contratado en la Universidad Adolfo Ibáñez como docente e investigador. Desde entonces me he adjudicado un proyecto FONDECYT de Iniciación, así como otros proyectos internos de la universidad. Entre estos últimos cabe destacar un proyecto de redes que fue desarrollado en conjunto con la Università degli Studi di Genova y la Universidad Austral de Chile. Todos ellos como investigador principal. Esto ha significado la posibilidad de consolidar redes, de obtener el reconocimiento dentro de la comunidad iberoamericana y de abrir nuevos campos de investigación. El último hito ha sido mi participación en un proyecto financiado por The John Templeton Foundation durante 2020, este proyecto busca, entre otras cosas, generar una comunidad de investigadores provenientes de diversas disciplinas de todas las américas y en donde se discuten y generan las más recientes teorías en temas de agencia, responsabilidad y libre albedrío. Además de lo anterior, durante este período he sido investigador de la Cátedra de Cultura Jurídica de la Universitat de Girona, siendo investigador de proyectos públicos adjudicados por el grupo de filosofía del derecho de dicha universidad. También he realizado estancias de investigación pre y posdoctorales en The University of Edinburgh (2014-2015 -con una beca de movilidad-, 2018) y la Universidad Autónoma de Madrid (2020 -con una Beca Santander), así como visitas breves a la Università degli Studi di Genova (2018, 2020) en donde he participado, además, como docente de postgrado.

Como investigador, mi trabajo se ha caracterizado por la integración de diversos enfoques dentro de la filosofía práctica y social en general, y de la filosofía del derecho, en especial. A lo largo de los años, he generado un marco de análisis que comienza desde las relaciones cotidianas entre personas, y que, se propone identificar el aspecto social de la agencia tanto individual como compartida. Para este investigador, todo esto significa entender cómo los agentes se desenvuelven en contextos marcados por desigualdades estructurales y por factores institucionales. Lo anterior se ha desarrollado en tres líneas principales:

1. Responsabilidad, normas y agencia. Uno de mis principales aportes ha sido el desarrollo de una concepción interpersonal de la responsabilidad, centrándome en qué consisten las prácticas de atribución de responsabilidad y cómo en ellas interactúan agentes utilizando normas.
2. Reconocimiento, opresión y legitimidad. Mi propuesta es sensible al contexto social en que el derecho se desenvuelve. He trabajado en una propuesta que integra elementos socio-estructurales con ciertas características propias de contextos institucionales. Esto me ha llevado a explorar el alcance de teorías del reconocimiento que abren las puertas a nuevas formas de entender la ciudadanía y la legitimidad jurídica.
3. Relaciones jurídicas. Recientemente he extendido el marco de análisis a todo tipo de relaciones jurídicas, tales como las relaciones contractuales y las relaciones laborales, generando un modelo que permita identificar, además, la forma en que estas relaciones cambian en el tiempo.

Resumen del Currículum Vitae:

Soy licenciado en Ciencias Jurídicas y Sociales por la Universidad de Chile (2011) y doctor en Derecho por la Universitat de Girona (2015). He realizado una investigación postdoctoral en la Universidad de Chile (2016-2017) y he realizado períodos de investigación como visitante en la Universidad de Edimburgo (2014-2015, 2018) y la Universidad Autónoma de Madrid, esta última, gracias a una Beca Santander de Investigación. He participado en más de una docena de proyectos de investigación tanto a nivel nacional como internacional.

En 2019 publiqué el libro monográfico "Adscripción y reacción. Responsabilidad jurídica y moral desde una perspectiva interpersonal" en la editorial Marcial Pons, he editado dos libros colectivos y he escrito más de una docena de artículos. He expuesto mi trabajo de investigación en prestigiosos foros internacionales, así como en seminarios en diversos países, entre los que cuentan Argentina, Escocia, España, Italia, Perú, Suiza y Suecia y ha organizado decenas de seminarios internacionales.

En 2017 fui elegido miembro del directorio de la Sociedad Chilena de Filosofía Jurídica y Social, cargo que ejerzo actualmente. Desde 2020 soy coeditor del Anuario de Filosofía; Jurídica y Social. También soy miembro de la Asociación Chilena de Filosofía y de la Red Latinoamericana de Estudios sobre el Reconocimiento. También he formado parte de comités editoriales de revistas académicas y he sido evaluador de artículos en las principales revistas de iberoamericanas en mi área; como evaluador de proyectos de investigación y de becas de doctorado para la Agencia Nacional de Investigación de Chile.

He realizado docencia en diversas universidades europeas y latinoamericanas. Actualmente me desempeño como profesor asistente de la



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Facultad de Derecho de la Universidad Adolfo Ibañez donde mi investigación y docencia ha recibido las mejores calificaciones y formo parte del Centro sobre Derecho y Sociedad. Además, soy profesor invitado en la Escuela Nacional de la Judicatura (República Dominicana), de la Università degli studi di Genova (Italia) y la Universitat de Girona (España), así como investigador de la Cátedra de Cultura Jurídica de la última institución referida.

Mi principal área de investigación se encuentra en las relaciones entre agencia, normatividad y responsabilidad, desarrollando su trabajo en el cruce entre filosofía del derecho, filosofía de la acción y filosofía moral. Integrándolas con otras disciplinas. También se encuentra entre mis áreas de interés los problemas de exclusión y de legitimación de la autoridad en las sociedades contemporáneas, centrandome en las teorías del reconocimiento y en la forma en que la autonomía se constituye socialmente. Esta amplitud de intereses, junto a mi formación, me ha permitido generar diálogos entre disciplinas que usualmente se desarrollan separadamente, así; como generar un proyecto a largo plazo que permita repensar la forma en que se entienden algunas de las principales categorías jurídicas desde la mirada de quienes viven el derecho.



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Nombre: SERRANO -----, AGATA

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Área Temática: Derecho

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Título:

Transitional Justice: post-conflict, democratisation and rights of vulnerable groups

Resumen de la Memoria:

Agata Serranò is Garcia Pelayo postdoctoral researcher at the Centre for Political and Constitutional Studies (CEPC) in Madrid. Her main on-going research lines (in a chronological order) are: 1) Terrorism and Radicalisation; 2) Improvement of Public Policies on Victims Reparation; 3) Transitional Justice: Post-conflict, Democratisation and Rights of Vulnerable Groups.

1) Terrorism and Radicalisation. The first part of her career has been devoted to analyse the conceptual roots of ideologies in which terrorism is trying to justify its violence. Secondly, she also proposes to define terrorism as a "crime against humanity" so that it can be judged by the International Criminal Court. Thanks to her participation as a member of RAN CoE, EeNET and OIET, she examines also radicalisation processes and de-radicalisation best practices. The results of this research line, among others, are publications which have been included among the 10 most relevant achievements (numbers 2, 3, 9, and 10).

2) Improvement of Public Policies on Victims Reparation. She has started to consolidate this line of research thanks to her doctoral thesis, the European and National funded projects she took part in, and the Cost Action in which she is currently participating. This line of research is centred in the improvement of public policies on reparation in different European countries, which is directed to guarantee the effectiveness of victims rights. The results of this research line, among others, are publications which have been included among the 10 most relevant achievements (numbers 1, 5, 6, 7 and 8).

3) Transitional Justice: post-conflict, democratisation and rights of vulnerable groups. This line of research is the outcome of her long period of research in Peru (41 months -from 2015 to 2018), which was a turning point in her academic career. Furthermore, since 2019 as Garcia Pelayo Researcher at the CEPC, she has been working on reparation policies of victims of violations of human rights in Peru. The results of this research, among others, are: the publication which has been included among the 10 most relevant achievements (number 4); b) 3 accepted papers to be presented in prestigious International Congresses organised by IPSA-AISP (Lisboa), LASA (Vancouver) and Valencia University.

In addition, she is exploring how to cope with the discrimination of different vulnerable groups. Currently, at CEPC she is leading the Garcia Pelayo Seminars of Research Programme for 2020/2021, entitled Post-conflict, democratisation and rights of the most vulnerable groups, which consists of 12 academic events.

If Agata Serranò were granted a RyC contract she would keep developing this line of research and, concretely, focusing on the following objectives:

- How to reinforce the effectiveness of democratisation and the rule of Law in post-conflict scenarios and developing countries, especially in Latin America;
- How to promote the formulation of public policies to reduce discrimination and inequalities in the post-conflict context, especially for vulnerable groups such as women, victims of violation of human rights, indigenous people and the Afro-descendants community;
- How to improve the effectiveness of the fundamental rights of these 4 vulnerable groups with respect for the international standards of human rights protection.

Resumen del Currículum Vitae:

Agata Serranò got a degree (magna cum laude) in Political Science (Univ. of Calabria Italy-2004). Master's Degree in Analysis and Prevention of Terrorism (URJC-Madrid-2008). PhD in Public Law with International Mention (Univ. of Jaén-Spain-2014). She was awarded the Extraordinary Prize of Doctorate by the Univ. of Jaén (2019).

She was Research Fellow of 2 International, 2 European and 2 National funded research projects. She carried out national and international pre-doctoral and postdoctoral research stays at the Univ. of Ulster (UK), Univ. of Jaén (Spain), USAT Univ. (Peru).

From 2015 to 2018, she was Director of the Centre for Studies on Politics and Public Management (CEPGP) at Catholic University of Santo Toribio de Mogrovejo (USAT) in Peru, where she created, organised and executed 1 Master's Degree Course, 3 Diplomas and 25 conferences on protection of human rights, the effectiveness of democratisation in the post-conflict era, the promotion of social equality, the fighting against discriminations, especially those directed towards vulnerable groups.

She has consolidated teaching experience (1184 hours) in PhD programmes (U. Magna Graecia of Catanzaro-Italy, 2019), in Master's Degrees (National Judicial College of the Dominican Republic-2017) and undergraduate courses (U. of Jaén from 2018 to 2019- and USAT in Peru from 2015 to 2018). She supervised 4 final degree dissertations (USAT, Peru) and was member of 2 master thesis and 28 undergraduate thesis examination boards. She was awarded 2 diplomas of recognition for outstanding research and teaching.

She authored 21 publications including 3 monographs (all of them Q1 according to Scholarly Publishers Indicators-SPI), 10 books chapters



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(4 of them published by Routledge and 1 of them published by Tirant Lo Blanch – the 5 of them are Q1, according to SPI), 6 peer reviewed journal articles (1 of them is Q2 in Law according to SJR), 1 review (ANEP: B; CARHUS: C), 1 Report for the UE Commission (Google Scholar Index H= 5; Index i10=4; Total Quotes: 91/81). For her publications she was awarded 3 research prizes (Premio Calipari, Banca Carime - Italy, Premio G. Falcone e P. Borsellino, University of Varese-Italy, Premio Antonio Beristain, UPV-EHU, Spain).

During her career, she presented her research results in 51 conferences all over the world: 20 in Spain, 12 in European countries and 19 in the American continent. She got the accreditation as Contratada Doctora and Profesora de Universidad Privada in the area of Social and Juridical Sciences.

She is a member of the Centre of Excellence of the Radicalisation Awareness Network (RAN CoE, UE Commission); the European Expert Network on Terrorism Issues (EENeT); the International Observatory for Terrorism Studies (OIET). In 2020, she has also been designed as member of the Editorial Board of The Age of Human Rights Journal ; the Scientific Committee of the International Review for Studies on Terrorism (RIET-OIET); the COST Action Cultures of Victimology: understanding processes of victimization across Europe ; Latin American Studies Association (LASA). In 2020, she has also been anonymous peer reviewer for the following prestigious journals: Revista de Estudios Políticos, America Latina Hoy, The Age of Human Rights Journal. She fluently speaks Spanish and English. She got the B1 level in French. Her mother tongue is Italian.