

### PROJECT TITLE

Participative rights surrounding mass graves

### PROJECT SUMMARY

This project will examine the availability, awareness and accessibility of participatory rights of families in relation to mass grave protection and investigation. While participatory rights are featuring more prominently in international law, their explicit link to mass graves, judicial investigations and commemoration efforts is not well explored.

Family participation has the potential to provide significant benefit to the investigation (by revealing relevant lines of inquiry) as well as to the family members themselves. At the same time, the safety of family members participating in the investigation may place some additional confidentiality, reporting and data limitations on the investigation. However, participatory rights of the next of kin may not be available to all, leading families of missing persons to proactively engage in search efforts either on their own (a phenomenon known as citizen-forensics) or by joining NGOs that assist with scientific, investigative work.

A growing body of literature on digital evidence and documentation technology for human rights fact-finding efforts has emerged to safeguard the probative value of such efforts before a court of law. But the question to be addressed remains: **how can the structural divide between a rule-of-law based, authoritative, independent investigative approach with participatory rights and the 'citizen-forensics' approach be effectively closed?**

### ACADEMIC IMPACT

Commensurate with legal research approaches, the project is likely to employ desk-based doctrinal legal research, and, where appropriate, supplement or complement with empirical legal research. This research will fill an important human rights blind spot in the present human rights theory surrounding mass graves.

The research will also form part of the outputs produced as part of the [Mass Grave Protection and Investigation \(MaGPIE\)](#) Research project.

MaGPIE, in its ambition to develop a pioneering and comprehensive human rights framework for the engagement with mass graves, has three overarching objectives.

1. To produce a global quantitative and qualitative assessment of the scale of the phenomena that are mass graves;
2. To remedy associated blindspots within the existing human rights framework; and
3. To create policies that innovate, consolidate and implement a coherent human rights approach to mass grave engagement.

This PhD project will form an integral part of the second objective.

### SOCIETAL IMPACT

This PhD project seeks to identify and remedy the human rights blindspot that presently exists within mass grave engagement. Advancing theory will also advance policy and practice thus benefitting survivors of mass graves and communities affected by them.

Since MaGPIE has a policy producing strand to it, this PhD project will contribute to policy development including an updated version of the Bournemouth Protocol on Mass Grave Protection and Investigation.

### **PGR DEVELOPMENT OPPORTUNITIES**

The student will be embedded in the ERC selected and UKRI funded research project MaGPIE and thus be part of a world-leading team of experts on the subject of mass graves led by Professor Melanie Klinkner.

In addition, the University, through the Doctoral College will help guide the professional and personal development of each PhD student through its researcher development programme.

Furthermore, the successful applicant will benefit from a team of multiple expert supervisors, and offers the opportunity for a placement at the International Commission on Missing Persons (ICMP) in The Hague, The Netherlands. The ICMP is the most relevant and applicable 'industry' to the research project: as the only international organisation that is exclusively tasked with addressing the issue of missing persons, ICMP is actively engaged in developing institutions and civil society capacity, promoting legislation, fostering social and political advocacy, and developing and providing technical expertise to locate and identify the missing.

### **SUPERVISORY TEAM**

<b>First Supervisor</b>	Professor Melanie Klinkner
<b>Additional Supervisors</b>	Member of the ICMP and Alexandra Lily Kather (human rights advocate)
<b>Recent publications by supervisors relevant to this project</b>	Smith S. and Klinkner M., eds. 2023. Mass Graves, Truth and Justice: Interdisciplinary Perspectives on the Investigation of Mass Graves. Edward Elgar.  Smith, E. and Klinkner, M., 2023. Victims' Rights to Participation and their Legitimate Information Interests. In: Borghi, M. and Brownsword, R., eds. Law, Regulation and Governance in the Information Society Informational Rights and Informational Wrongs. Routledge.  Klinkner, M. and Smith, E., 2022. Victims' Rights. In: Binder, C., Nowak, M., Hofbauer, J. and Janig, P., eds. Elgar Encyclopedia of Human Rights. Edward Elgar.  Klinkner, M. and Smith, E., 2021. <a href="#">Academic Commentary to the Bournemouth Protocol on Mass Grave Protection and Investigation. Bournemouth University.</a>  Klinkner, M. and Smith, E., 2020. <a href="#">The Bournemouth Protocol on Mass Grave Protection and Investigation.</a>

### **INFORMAL ENQUIRIES**

Please contact the lead supervisor on the following email for informal enquiries

[magpie@bournemouth.ac.uk](mailto:magpie@bournemouth.ac.uk) or [mklinkner@bournemouth.ac.uk](mailto:mklinkner@bournemouth.ac.uk)

#### **ELIGIBILITY CRITERIA**

The PhD Studentship is open to UK, EU and International students.

Candidates should demonstrate outstanding qualities and be motivated to complete a PhD in 3 years and must demonstrate:

- outstanding academic potential as measured normally by either a 1st class honours degree (or equivalent Grade Point Average (GPA) or a Master's degree with distinction or equivalent.
- an IELTS (Academic) score of 7.5 minimum (with a minimum 6.5 in each component, or equivalent) for candidates for whom English is not their first language and this must be evidenced at point of application.

#### **ADDITIONAL ELIGIBILITY CRITERIA**

We welcome applicants with diverse backgrounds and expertise in international law or a related subject. We expect the PhD student to be Bournemouth University Campus based for full integration with the research team.

#### **HOW TO APPLY**

Please complete the online application form by **the deadline listed on the project webpage**.

Further information on the application process can be found at: [www.bournemouth.ac.uk/studentships](http://www.bournemouth.ac.uk/studentships)