



**International Society for Labour and Social
Security Law
Société internationale de droit du travail et de
la sécurité sociale
Sociedad Internacional de Derecho del Trabajo
y de la Seguridad Social**

**EXECUTIVE COMMITTEE MEETING
SYDNEY, 1st SEPTEMBER 2009**

REPORT ON THE PROCEEDINGS

The Executive Committee meeting took place from 9:30 am to 1:15 pm in the Adelaide Room, Hotel Sofitel Wentworth, Sydney, Australia. It was chaired by Professor Kazuo Sugeno, President of ISL&SSL, assisted by Arturo Bronstein, Secretary General. The list of attendees (48) is attached at the end of this Report.

English and Spanish, with interpretation, were the working languages of the meeting.

Below is a report on the proceedings.

1. Opening of the meeting

Professors Kazuo Sugeno, President of ISL&SSL and Ron McCallum, host of the meeting, welcomed the meeting.

2. Approval of the Agenda

The draft Agenda as prepared by the Officers was approved by the Executive Committee

3. Report on activities by the Secretary General

The Executive Committee took note of the report on the activities of the ISL&SSL, submitted in writing by the Secretary General.

4. Financial reports by the Treasurer and the Auditor

Separate financial reports were submitted to this meeting, respectively by our Treasurer, Giuseppe Casale and the Auditor, Stein Evju. The Treasurer Giuseppe Casale introduced the financial report corresponding to the period 1st January 2007 to 30 June 2009. He reminded that 1 st January 2007 was the date of the actual transfer of ISL&SSL accounts from former Treasurer Professor Irene Asscher-Vonk to him. It appeared from the report that at 30.06.2009 many of our National Members had paid their dues though some members had not. The list of those members with outstanding dues for 2006-2009 included our associations from Belarus, Bosnia and Herzegovina, Bulgaria, Cameroon, Croatia, Ecuador, Guatemala, Ireland, Paraguay, Philippines, Portugal, Romania, United Kingdom and Venezuela (2007-2009 only). Some members had already paid for 2009, namely Austria, Czech Republic, Finland, Germany, Italy, Japan, Poland and Slovenia. He remarked that a number of members paid only at the end of

the calendar year because they must close their own yearly accounts before they can pay their dues to ISL&SSL on the base of the number of their own individual members that have paid their individual dues. He further remarked that our Society was in a healthy financial situation for it had 102,023 USD and 23,542 € on its accounts, part of which were placed on Investment Funds; these were very safe funds though they produced low returns, more especially because of bank charges of 2% per year. The following new investment strategy was therefore suggested to eliminate these bank costs: 1) For Euros: a saving account with a profit of 1.375% and 2) For US dollars: a term investment fund 12 months at 1.32%.

The Auditor Professor Stein Evju provided some information on the methodology he had followed to revising the accounts. He noted that there were shortcomings in the way the accounts had been kept, as vouchers and underlying documentation had not been linked to posts of income or expenditure, the documentation to properly audit was insufficient and there were some inconsistencies, albeit not in large amounts, in figures given. Despite these inconsistencies and in the light of satisfactory explanations given by the Treasurer he considered that the accounts could be approved. He further recommended that books and documentations be kept in a more meticulous and transparent way, better corresponding to standard accounting functions, for the future.

The Executive Committee approved the new investment strategy and the accounts as presented by the Treasurer, with the remarks made by the Auditor. It expressed its deep thanks to both the Treasurer and the Auditor. It also put on record its great appreciation for the secretarial support the Treasurer had received from his Assistant, Ms Johanna Ruefli. The Executive Committee further noted with regret that in view of his new responsibilities in the ILO Mr. Casale was not able to continue as Treasurer and wished to thank him for the all the hard work he had done to collect the dues of our members and take care of the accounts of our Society.

5. *Regional distribution of vice-presidencies in the Americas*

The Executive Committee had been invited to discuss a new distribution of our members in the Americas region, as following:

North America and Central America: Canada, Costa Rica, Dominican Republic, Guatemala, Mexico, Honduras, Panama, and the United States (8).

South America: Argentina, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay and Venezuela (9)

A decision on this question was, however, postponed until a further meeting of the Executive Committee or the General Assembly.¹

6. *Statutory appointments: Appointment of a Secretary General, a Treasurer, an Auditor and up to six vice-presidents*

The Executive Committee made the following statutory appointments:

Secretary General: Arturo Bronstein (Argentina)

Treasurer: Corinne Vargha (ILO Section)

Auditor: Stein Evju (Norway)

Vice-Presidents: Takashi Araki (Japan), Gilles Trudeau (Canada), Rafael Pereira (Chile), Darcy du Toit (South Africa), Zelko Potocnjak (Croatia), Fernando Valdés Dal Re (Spain)

7. *Information on the XIX World Congress, Sydney, September 2009*

Professor McCallum, President of the Organizing Committee informed on the steps so far taken in view of the organization of this Congress.

¹ The proposal was put again before, and approved by the General Assembly.

8. VIII American Regional Congress, 2010

The Executive Committee confirmed that this Congress was to be held in Cartagena de Indias, Colombia, from 25 to 28 May 2010. It also approved the following agenda and list of reporters:

Theme 1: Current situation and the future of public and private pension systems in the light of the worldwide crisis. General Reporter: Carmelo Mesa-Lago, United States.

Theme 2: Public and private systems of settlement of individual and collective labour disputes. Co-reporters: G. Valdés S. (Colombia) and Steven Willborn (United States)

Theme 3: The protection of worker's privacy at the workplace. Co-reporters: Cristina Mangarelli (Uruguay) and Gilles Trudeau (Canada)

Round Table 1: The so-called "news forms of employment" and their impact on:

- a) individual employments relations;
- b) collective labour relations; and,
- c) the social protection of the workers concerned

Moderator:

Round Table 2: The use of international law by national courts in view of the adjudication of labor disputes.

Moderator: Xavier Beaudonnet (ILO)

Keynote Speech: Strike in the Public Service. Speaker: Carlos Álvarez Pereira (Colombia)

9. X European Regional Congress, Seville, 2011

The Executive Committee approved that this Congress be held from 21 st to 23 September 2011, and that it discusses the following agenda:

Theme 1: Labour Law and Industrial Relations in the Light of the Economic and Social Changes

Theme 2: Collective Bargaining Rights in a Globalized Economy.

Theme 3: Social Protection of the Unemployed.

Round Table 1: Public and private employment services as intermediaries in the hiring of workers.

Round Table 2: Groups of workers who risk exclusion or unprotection under labour law.

Workshop 1: The role of the judiciary vis a vis the changes in labour law.

Workshop 2: Interruptions and suspensions of the employment relationship.

10. XX World Congress, Santiago de Chile, 2012

The Executive Committee approved that the Congress be held in the week beginning September, 24, 2012. It noted that the following list of possible agenda items had been proposed:

- a) The role of the Labour Inspection and of the workers' representatives in the enforcement of the Labour Law,
- b) The right to strike as a fundamental right and its possibility of conflicting with the fundamental rights of the people in the case of strike in essential services.
- c) Social protection of non-wage earners.
- d) Structure and effects of collective bargaining and the right to free competition
- e) The use of international law by national courts
- f) The future of private pension systems in the light of economic turmoil.
- g) Labour Law and small and medium-sized enterprises
- h) Individual and collective labour relations in the public administration.
- i) Bullying and sexual harassment at the workplace

After some exchange of ideas the Executive Committee considered that it should be up to the Organizing Committee, in consultation with the officers, to make the final selection of the agenda items to be discussed during the Congress.

11. XXI World Congress. Preliminary discussion of date and venue

Our associations from Brazil and Canada expressed interest in organizing this Congress. A decision on the date and venue is expected to be taken at the next official meeting of the Executive Committee, Seville, 2011.

12. Questions relating to ISL&SSL by-laws (amendments)

The Executive Committee noted that the proposals made by the officers, to amend our by-laws, were the result of the discussions held in Freiburg, 2008, and of further consultations by the officers with the Vice-Presidents. It unanimously approved the text as it stood before it. It also authorized the officers to submit the amended by-laws to the General Assembly for formal and final ratification by the latter.

13. Other questions

(1) Further to a proposal by Jeffrey Sack (Canada) the Executive Committee decided to set up a working group with a view to examining the following questions:

- (a) the format of our forthcoming congresses;
- (b) the design of a more attractive and interactive webpage, which would include information on substantial developments in Labour Law and Social Security in the countries where our Society has national associations, and
- (c) how to better promote and expand our activities?
- (d) how to attract young scholars and researchers from all parts of the world?

The Working Group will make recommendations to the Executive Committee on the above questions.

(2) President Elect Sewerynski recalled that after ten years of hard work Professor Auvergnon had decided to stop organizing in Bordeaux the International Seminar on Comparative Labour Law, Industrial Relations and Social Security. This Seminar was attended yearly by more than 50 participants, not only from Europe but also from other parts of the world. It was an important tool to bring together young scholars, researchers and Phd candidates. He asked that the Executive Committee addressed its deep thanks and congratulations to Professor Auvergnon for the work he had done in organizing and conducting the Seminar. He reminded that this Seminar had been first organized in Trieste (Italy), then in Szeged (Hungary) before it was moved to Bordeaux in 2000, and considered that it would be very regrettable that this important and worthwhile activity be discontinued. He finally made a call for the Seminar being reconvened in other country, and if possible to also organize comparable seminars in other parts of the world.

(3) Professor LEE, Kwang Taek (Republic of Korea) reminded that the 8th Asian Regional Congress had been held in Taiwan in 2005. Until then Australia, the Philippines, Japan, Thailand and Korea had once hosted the Asian Congress, Korea had hosted the 2nd Asian Congress in 1983, 26 years ago, and the 14th World Congress in 1994, 15 years ago. As no other country in the region had offered itself to host a forthcoming Asian Congress he, in his capacity of member of the executive committee representing Korea, would be willing to host the next Asian Congress in his country on next years.

Support of his country's government was, however, a precondition for that Congress to take place. Should his proposal to have this congress convened in Korea were agreeable to the Executive Committee he would approach his Government in due time, to ask for its support. He was considering holding the Congress sometime between 2011 and 2013.

The Executive Committee warmly thanked Professor Lee for his generous offer and encouraged him to go ahead with his initiative, in close consultation with the Officers of ISL&SSL and the Vice-President for the Asian Region.

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Attendees at the Executive committee meeting, Sydney, Tuesday 1 September 2009

Kazuo Sugeno	President ISL&SSL
Michal Sewerynski	President Elect ISL&SSL
Arturo Bronstein	ISL&SSL Secretary General
Giuseppe Casale	Treasurer ISL&SSL
Corinne Vargha	ILO
George Dragnich	ILO
Alberto Rimoldi	Argentina
Ron McCallum	Australia
Richard Mitchell	Australia
Ron Baragry	Australia
John Howe	Australia
Luiz Carlos Robortella	Brazil
Marco Villatore	Brazil
Roland Hasson	Brazil
Jeffrey Sack	Canada
Fracisco Walker Errázuriz	Chile
Rafael Pereira Lagos	Chile
Petr Tröster	Czech Republic
Carlos Hernández Contreras	Dominican Republic
Carlos Salcedo Camacho	Dominican Republic
Pekka Orasmaa	Finland
François Gaudu	France
Antoine Jeammaud	France
Costas Papadimitriou	Greece
József Hajdú	Hungary
Steve Adler	Israel
Stefano Bellomo	Italy
Takashi Araki	Japan
Kwang-Taek Lee	Korea
Ram Thiagarajah	Malaysia
Mijke Houwerzijl	Netherlands
Gordon Anderson	New Zealand
Stein Evju	Norway
Rolando Murgas	Panama
Vasco Torres	Panama
Víctor Ferro	Peru
Jonathan Sale	Philippines
Marek Pliszkiwicz	Poland
Polonka Koncar	Slovenia
Darcy du Toit	South Africa
Jesús Cruz Villalón	Spain
Ronnie Eklund	Sweden
Shi-Hao Liu	Taiwan

Stephen Kang
Phaisith Phipatankul
Kubra Dogan Yenisei
Cristina Mangarelli
Mark Freedland
Steve Willborn

Taiwan
Thailand
Turkey
Uruguay
UK
USA