

## **Circular Letter No. 94**

Dear friends and colleagues,

As you have been informed in the ISLLSS Circular Letter No. 93, the Executive Committee has asked me to act as Secretary General of our Society until it can make a formal decision at its forthcoming meeting in Stockholm, September 2002. Having been authorized by the Director General of the International Labour Office to accept this request it is with great pleasure that I am able to take on this responsibility and follow in the footsteps of my colleague Jean-Michel Servais, whom as you are aware, has been appointed by the Director General as Director of Operations for the Regional Office of the ILO for the Arab States in Beirut.

In advance, I thank you very much for all the support that I will receive from you.

### **Activities of the ISLLSS**

#### **VII<sup>th</sup> Asian Regional Congress of Labour Law and Social Security, Manila,**

**22-24 November 2001**

I would like to congratulate the organizers of the Congress, and the participants, for the quality of the reports and its very lively debates. More especially, our particular thanks goes to Attny. Luis Ermitaño, Chairperson of the Organizing Committee, for his very warm welcome, the General Reporters who prepared comprehensive and thought provoking reports, Dean Froilan Bacungam who moderated the Round Table, and last but certainly not least, Ms. Jiji Fyfe who did an outstanding job in the overall organization of this Congress.

The organizer will print the proceedings of the event. I have also requested permission from Attny. Ermitaño to put the proceedings online, on our Web page.

#### **V<sup>th</sup> Regional American Congress of Labour Law and Social Security, Lima,**

**September 2001**

The official reports, as well as a number of papers contributed by many participants (*ponencias libres*) have been gathered in a book, which has now been published in Spanish. I have asked from Professor Pasco the permission to put the general reports online, in our Web page.

### **Executive Committee**

During the Congress of Manila an informal meeting of the Executive Committee was held. The Executive Committee took note of the resignation of Dr. Jean-Michel Servais, and it put on record its recognition for the outstanding job he has performed in the service of the Society since he was appointed Secretary General in the Congress of Madrid in 1988. It asked President Blanpain to send a letter to Dr. Servais, to convey to him the gratitude of the Executive Committee, and the Society as a whole, for the wisdom he added to its deliberations and the attentiveness and efficiency with which he carried out his office.

The meeting's agenda included the discussion of the revised by-laws of the ISLLSS, and the procedure to appoint a new President of the ISLLSS for the period 2003-2006 (see below).

It was also recalled that the ISLLSS can provide financial support for labour law or social security specialists (preferably of weak currency countries), to help them attend regional or worldwide events of the Society (see below).

The next official meeting of the Executive Committee will be held in Stockholm, Sweden, on 3 September 2002. In addition to discussing the agenda of forthcoming congresses, the Executive Committee will have to discuss the revision of the ISLLSS by-laws and the nomination of its Officers for the period 2003-2006, which will require ratification by the General Assembly in Montevideo, 2003. A further meeting of the Executive Committee will be held in Montevideo during the XVII World Congress.

### **Revised by-laws**

In light of the discussions held at the Executive Committee meeting in Manila, a revised draft version of the by-laws will be sent to all members of the Executive Committee for further comments and suggestions. These should be returned to me not later than 31 May 2001, so that I can prepare a brief for the Executive Committee meeting in Stockholm, September 2002. It is expected that a final decision will be made at this Meeting, which should, however, be called for ratification by the General Assembly in Montevideo, Uruguay, September 2003.

### **Election of the President of the ISLLSS for the period 2003-2006**

Under the present by-laws of the ISLLSS, the appointment of the President by the Executive Committee needs to be ratified by the General Assembly, which takes place every three years during the World Congress of the Society. The next General Assembly is to take place in Montevideo, September 2003. However, it would be preferable for the Executive Committee to nominate the President in the course of the

Stockholm meeting, in 2002, so that he/she can have a better insight into the affairs of the Society well before he/she officially takes up his/her duties in 2003. This is why the Executive Committee has asked the Secretary General to write to all Members of the Executive Committee to send nominations not later than 31 May 2002, so that the Executive Committee can nominate a President in September 2002 during its meeting in Stockholm.

It is further noted that, for the submission of candidatures of the past presidents of the ISLLSS, the following practice has been observed:

- Candidates have been members of a national association (or individual members) with a long-term relationship with the Society,
- Candidates had a recognized competence and a record of publications in the field of labour law and social security;
- A geographical rotation has been observed;
- The Executive Committee has sought to appoint the President by consensus, although the ISLLSS by-laws also permits that a vote be taken.

The current President of the ISLLSS comes from Western Europe. Former presidents in the past twenty years and the regions they came from are the following:

1997-2000: Professor Américo Pla Rodríguez, South America;

1994-1997: Professor Chi-Sun Kim, Asia;

1991-1994: Professor Franz Gamillscheg, Western Europe;

1998-1991: Professor László Nagy, Central Europe;

1985-1988: Professor Benjamin Aaron, North America;

1982-1985: Professor A.F. Cesarino Junior, South America.

### **Fellowships of the ISLLSS**

For the forthcoming European Congress in Stockholm, 2002, some US\$10,000 will be made available by the Society, to grant fellowships to help fund the attendance of a number of participants. The fellowships are meant to cover travel, board and lodging, with an upper limit of US\$1,000 per fellowship. While there are not rigid criteria for the award of these fellowships the following will be taken into particular consideration:

- Age: not more than 40 years old;
- Nationality: A regional criterion applies in principle for regional congresses. In the case of the Congress of Stockholm priority would be given to candidatures from Central and Eastern European countries. This, however, would not preclude the consideration of applications from applicants of other countries;
- Language proficiency: fully satisfactory knowledge of one of the working languages of the Congress (English, French, German and Spanish);
- Non eligibility of former beneficiaries of ISLLSS fellowships: those who have already benefited from a fellowship of the ISLLSS are not eligible for a new fellowship;
- submission of a communication: successful candidates will present a communication or a paper at the meeting;
- Gender: applications from both male and female candidates are equally welcomed; applications from female candidates are encouraged.

Where there is a national association of the ISLLSS, applications shall be sent to me through that association. For countries where there is not a national association, individual applicants can submit their applications directly to me. All applications should reach me not later than 31 st May 2002, and be accompanied by the applicant's CV. The President will make a final decision on the allocation of fellowships to applicants after consultation with the organizers of the Congress and myself, by 31 July 2002. Successful applicants will receive their grant on presentation of evidence of travel and other relevant costs.

### **Other fellowships**

The West African Research Center (WARC) offers six travel bursaries for the purposes of attending and reading papers at academic conferences relevant to the applicant's field of research, and visiting libraries or archives that contain resources necessary to the applicant's current academic work. There is no specific deadline for applying. Applications are reviewed twice per year. Maximum amount is \$2,000. West African scholars and graduate students may apply.

Contact Address: WARC/CROA

B.P. 5456 (Fann Residence)

Rue E x Léon G. Damas

Dakar, Senegal Contact Phone: 9-011 +221-8-24-20-62

Contact Fax: 9-011 +221-8-24-20-58

Contact Email: assist@mail.ucad.sn

URL for more information:

<http://polyglot.lss.wisc.edu/afirst/wara/funding.htm>

## **Finances**

The Treasurer, Professor Asscher-Vonk, has opened a bank account in the name of the International Society :

ABN/AMRO  
Wassenaarsewet - Postbus 97701  
2509 GC DEN HAAG (Netherlands)  
Account no.: 58.16.43.488

All national associations are invited to make their subscriptions to this account as well as any back payments that may be due, with a copy to Professor Asscher-Vonk.

## **Future Congresses**

### **VIIth European Congress, STOCKHOLM (Sweden) 4-6 September 2002**

The Congress brochure is available. A website has been set up at the following address: <http://www.labourlaw2002.org> where you can find all the required information as well as the work programme. The themes of the Congress will be the following:

***Theme I. The autonomy of the Collective Agreement – relationship to statutes, international agreements, plant agreements, individual contracts, etc***

*Reporters:*

*Professor Niklas Bruun (Finland)*

*Professor Vassil P. Mratchkov (Bulgaria)*

*Commentator:*

*Professor Rolf Birk (Germany)*

***Theme II. Justifications for Sex Discrimination in working life***

*Reporters: Professor Tamara Hervey (United Kingdom)*

*Professor Marie–Ange Moreau (France)*

*Commentator: Professor Brian Bercusson (United Kingdom)*

***Theme III. Freedom of movement and transfer of Social Security rights***

*Reporters: Professor Ann Numhauser-Henning (Sweden)*

*Professor Juan Antonio Sagardoy (Spain)*

*Commentator: Professor Silvana Sciarra (Italy)*

***XVIIth World Congress, MONTEVIDEO (Uruguay), 3-5 September 2003***

Preparations for the next World Congress are underway. The questionnaires on the three themes are now being finalized, and I will be sending them to you not later than 31 January 2002 (advance copy by e-mail would be sent before). I expect that national associations (or individual Executive Committee members where a national association does not exist) will rapidly designate the colleagues who in each country will be responsible to reply to the questionnaires for each topic (prepare the national report) and communicate to me their names and postal and email addresses. I hope that all replies will be sent to me not later than **31st August 2002**, so that the general reporters will have enough time to prepare their reports and have them translated in all the working languages of the Congress. To facilitate the overall work, I will appreciate if the replies to the questionnaires are e-mailed to me <[bronstein@ilo.org](mailto:bronstein@ilo.org)> in MS Word or WordPerfect format (for Windows platform, if possible). I will forward the replies to the General Reporters and the organizers of the Congress. Let me to remind you that the adopted programme is as follows:

***Theme I. The Actors of Collective Bargaining***

*General Reporters:* Yasuo Suwa (Japan)  
Mario Grandi (Italy)

***Theme II. Labour Law and the Fundamental Rights of the Person***

*General Reporters:* Fernando Valdes Rey (Spain)  
José Francisco Siquiera Neto (Brazil)

***Theme III. Social Protection for the unemployed***

*General Reporters:* Gérard Pougoué (Cameroon)  
Mario Pasco Cosmópolis (Peru)

***Round Table: Labour law faced with new forms of organisation of companies (groups, subsidiaries, externalisation, network...)***

*Moderator:* Francisco Walker (Chili)

A brochure and CD are now available with more information.

**Other Congresses:**

It has been agreed to hold the next American Regional Congress in Mexico D.F., Mexico, 2004, the next Asian Regional Congress in Taiwan, China, 2004, and the VIIIth European Regional Congress in Bologna, Italy, 2005. The XVIIIth World Congress will be held in Paris, France, 2006. Proposals for the agenda of these Congresses will be discussed at the Executive Committee in Stockholm, September 2002.

### **Other meetings**

We warmly congratulate the International Industrial Relations Association, which held its IVth Asian Regional Congress, with great success in Manila on 20-21st November 2001.

### **Next IIRA congresses will be the following:**

Third African Regional Congress: to be held in Cape Town, South Africa, from 6 to 8 March 2002. Contact addresses are as follows:

The Congress Secretariat

IRASA

PO BOX 3943

Halfway House

1685

Fax: 09 - 27 - 12 804 5566

E.mail: [maggie@irasa.org.za](mailto:maggie@irasa.org.za)

Web page: <http://www.irasa.org.za>

IIRA 4th Regional Congress of the Americas: to be held in Toronto, Canada, from 25-29 June 2002. As yet we have not received the brochure of this Congress. Information may be picked up from the Web page of the Canadian Industrial Relations Association:

<http://www.cira-acri.ca/e/m-resumes.htm>

13th World Congress: To be held in Berlin, Germany, from 8 to 12 September, 2003. The overall theme of this Congress will be: Beyond Traditional Employment Relations. Industrial Relations in the Network Economy. For further information on this Congress, please refer to the online brochure: <http://www.fu-berlin.de/iira2003/iiraset.htm>

## **News from the ILO**

### Search engine to find international and national labour law

The ILO Library has put online a very powerful search engine, to search for international and national labour law. It can be accessed at the following URL: <http://www.ilo.org/public/english/support/lib/howto/legislation.htm>

### International Observatory of Labour Law

This site intends to provide information concerning national legislation, as well a gateway to labour law and legal information available on the web which is of interest to labour law specialists. It further encourages the circulation and exchange of information on trends and developments in labour law around the world. The International Observatory of Labour Law offers a National Labour Law Profiles section (basic information on labour law applicable in ILO member States), a Labour Law News section (articles and links to information on new legislation adopted throughout the world, in collaboration with the ILO Database NATLEX), a Useful Links section, connecting with a number of sites, search engines and databases of interest to labour law specialists, a Studies and Articles section (a selection of labour law research materials), and an Events section (information on national and international events). Eventually, it intends to add a Thematic Labour Law Profiles section (issue papers and law and practice briefs on selected themes). The ILO encourages scholars and Labour Law specialists throughout the world to contribute to this Observatory. The Web address of this site is: <http://www.ilo.org/public/english/dialogue/ifpdial/ll/observatory/index.htm>

### Ninth Meeting of European Labour Court Judges

Upon an invitation made by the ILO sponsored International Institute of Labour Studies, the Ninth Meeting of European Labour Court Judges was held in the ILO Building, in Geneva, on 3-4 December 2001. In addition to European Judges, the meeting was attended by judges or members of industrial courts of Australia, Costa Rica, Malaysia, South Africa and Venezuela, and a scholar from the US. The Meeting discussed the following Agenda:

## 1.- The role of Labour court judges in the implementation of social policies

Chairperson: Judge Michaël Koch, President, Labour Court of Sweden;

General Rapporteur: Judge Stephen Adler, President, National Labour Court, Israel.

## 2. Sexual harassment at the workplace

Chairperson: Judge Friedrich Hauck, Federal Labour Court, Germany

General Rapporteur: Professor Alan Neal, United Kingdom.

On 4th December the European Labour Court Judges had a meeting with the ILO Committee of Experts on the Application of Conventions and Recommendations, CEACR (co-chairpersons: Judge Clark, United Kingdom, and Sir William Douglas, President CEACR). Finally, a workshop was held, on ILO standards and legal information resources in the WEB.

The proceedings of this meeting will be put online, on the ILO Website. The next meeting will be held in Stockholm, in September 2002.

Overall information on the activities of the ILO can be picked up from its Website.

## **Membership of the ISLLSS**

The Australian Labour Law Association has applied for membership to our Society. It has also created its Website, with the following address: <http://www.alla.law.unimelb.edu.au/>

## **Obituaries**

I have the deep regret of announcing the death of Prof. Nikhom Chantaravithom, former President of the Labour Law Association of Thailand, in Bangkok, on 31 October 2001, aged 76 years old. Prof. Nikhom was a graduate of Thammasat University's Law Faculty, and became the first recipient of a Thai Government's scholarship to further his studies in social work and labour affairs. He received masters' degrees in social administration and labour economy from the US, as well as several honorary doctorates. He also had a distinguished career in the Civil Service, where he held different positions including director general of the Labour Department. We convey our sympathy to Prof. Nikhom's family.

With great sadness, I also inform the Society of the death of Professor Max Rood in Leiden, the Netherlands on 2 December 2001, aged 74. Professor Rood was an emeritus professor of labour law at Leiden University, and a former Home Secretary in the Dutch government. He was vice-president of our society until the Congress of Jerusalem, 2000, and organized our European Regional Congress in Leiden, 1996. In his country he chaired a committee to revise the labour law, and as a legal expert was involved in various projects to revise and modernize labour law and industrial relations in Eastern Europe. He chaired the Committee of Application of Standards at the ILO Conference, and was until his death, the independent chairperson of the ILO Freedom of Association Committee. We convey our sympathy to Prof. Rood's family.

Kind regards to everyone, and best wishes for 2002.

Arturo Bronstein  
Acting Secretary General  
Geneva, December 2001