



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

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EXECUTIVE COMMITTEE MEETING

MONTEVIDEO, 2 SEPTEMBER 2003

Note on the Proceedings

The Executive Committee of the ISLSSL met in Montevideo on 2 September 2003, under the chairmanship of Professor Roger Blanpain, President of the ISLSSL. The list of those who attended is attached to this note.

The meeting benefitted from excellent logistic support, including simultaneous interpretation in English, French and Spanish, which was provided by the Asociación Uruguaya de Derecho del Trabajo y de la Seguridad Social. The Executive Committee would like to put on record its deep recognition for such support.

The Executive Committee examined the following items:

1. Adoption of the Agenda.
2. Report on Activities, by the President.
3. Financial questions: Reports by the Treasurer and the Auditors.
4. Admission of new members
5. Statutory appointments:
 - a) appointment of vice-presidents of the ISLSSL, 2003-2006;
 - b) appointment of two auditors.
6. Reform of ISLSSL by-laws.

7. Information on the XVIIth World Congress of Labour Law and Social Security, Montevideo, 2-5 September 2003, by the Organizing Committee of the Congress, and appointment of chairpersons for the different sittings of the Congress.
8. Future Congresses of the ISLLSS:
 - a) XVIIIth World Congress of Labour Law, Paris, 2006: Agenda and appointment of rapporteurs
 - b) Information on the VIth American Congress, Mexico, 2004,
 - c) Date and Agenda of the VIIIth Asian Congress Taipei 2005,
 - d) Date and Agenda of the VIIIth European Congress, Bologna, 2005
 - e) Congresses to be organized between 2007 and 2009 (first discussion)
9. Report on the consultation on organizational and scientific questions relating to ISLLSS congresses (task group Servais) (first discussion).
10. Other questions.

1. Adoption of the Agenda

The Executive Committee adopted its Agenda as proposed by the Secretary General.

2. Report on Activities, by the President

The President reported on the activities of the Society since the last meeting of the Executive Committee, in Stockholm, 2002.

3. Financial questions: Reports by the Treasurer and the Auditors.

The Treasurer introduced her financial report. She drew attention to the fact that ISLSSL income is essentially made up from dues paid by its members, which are in fact declining. If the present trend were to continue there would be a risk of paralysis occurring some time in a near future.

The Committee examined a number of options to encourage our members to pay their dues on time. It decided that the name of our Members who do not pay their dues would be published in each December issue of the Bulletin.

4. Admission of new members

a) Request by the Icelandic Association of Labour Law and Social Security: the Secretary General informed that the Icelandic Association had been invited to attend the Executive Committee meeting, but had not come and had not asked someone else to represent it. The Executive Committee decided to postpone any decision on the Icelandic Association request until its next meeting, in Bologna, 2005.

b) Request by the Belgian Society for Labour and Social Security Law: the Secretary General read out a letter sent by Professor Vanachter, Secretary of the Belgian Association for Labour Relations with respect to this application, which had been submitted by Professor van Eeckhoutte, President of the Belgian Society for Labour and Social Security Law. Professor Vanachter stated that "*The Belgian Association for Labour Relations has no objection against this application. Being an active member for many years, wants to remain a member of the International Society. We hope that both Belgian associations can be a member of the International Society. If this is not the case, may we ask you to postpone the decision on the membership of the Belgian Society for Labour and Social Security Law for further consultation between the two Belgian associations?*".

The Secretary General explained that under the Society's by-laws it was not possible that more than one association per country be represented at the Executive Committee with full rights. It was, however, possible to accept a second association in the capacity of *institutional member*. In light of this explanation several members proposed that the Executive Committee postpone any decision on this application, until some further consultations could take place, while some other members urged for the Committee taking an immediate decision. The President decided to put the question to a vote, which led to the following result: for the admission 19, against 9, abstentions: 6. The Belgian Society for Labour and Social Security Law was therefore recognized as a national member of our Society, under article 3.1 of our by-laws. It was agreed that the Secretary General write back to Professor Vanachter to let him know the decision taken by the Executive Committee and ask him whether the Industrial Relations Association would like to apply for institutional membership under article 3.3 of our by-laws.

- c) Request by the Lithuanian Association of Labour Law and Social Security: The Executive Committee accepted the application for membership, as national member, submitted by the Lithuanian Association of Labour Law and Social Security, represented by Professor Thomas Davulis.
- d) Request by the Belarussian Association of Labour Law and Social Security: The Executive Committee accepted the application for membership, as national member, submitted by the Belarussian Association of Labour Law and Social Security, represented by Mr. Yaruslau Krivoy.
- e) Request by the ILO Section (for institutional Membership): The Executive Committee accepted the application submitted by the ILO Section of the ISLLSS, represented by Mr. Giuseppe Casale, and invited it to take part at its deliberations in the capacity of Institutional Member.

5. Statutory appointments:

- a) appointment of vice-presidents of the ISLLSS, 2003-2006;

The Executive Committee unanimously elected Professors Oscar Hernández Alvarez (Venezuela) for the South American Region; Néstor de Buen (Mexico) for North America; Gordon Andersson (New Zealand) for Asia, and Polonca Koncar (Slovenia) for Central and Eastern Europe. Professor Franco Carinci (Italy) was also elected, to represent Western Europe, after a vote, with 24 votes for, 1 against, and 5 abstentions.

- b) appointment of two auditors.

Professors von Maydell (Germany) and Eklund (Sweden) were appointed auditors.

6. Reform of ISLLS by-laws

- a) Amendment submitted by the AADTy SS

The Executive Committee accepted the following amendment, proposed by the Argentinean Association for Labour Law and Social Security

At the end of article 3, add the following:

In order to get such a recognition, the Executive Committee will require from the (relevant) National Member that it submits a report on the applicant's accomplishments, to confirm the above-referred dedication to the Society's goals, and the support and collaboration that it provides to the National Member.

- b) Amendment submitted by Mr Arthur Schuster, individual member, Luxembourg

The Executive Committee accepted the following amendment, proposed by Mr Arthur Schuster, individual member, Luxembourg

New paragraph 7.3

The Executive Committee, under proposal by the Officers after consultation with the Vice-presidents, can also designate individual members who can participate at its meetings. Only one individual member per country shall have the right to vote. The Executive Committee shall also determine when an individual member will no longer participate at it, especially because of inactivity or when a national association has been accepted as a national member of the Society in respect to that individual member's home country.

- c) Amendments submitted by Professor Eklund with the support of the Swedish Board.

Professor Eklund introduced an amendment whereby the election and the discharge from liability of the Officers would be a prerogative of the General Assembly, not the Executive Committee. Professor Goldman recalled that this question had already been discussed and settled in Stockholm, where a large majority of members of the Executive Committee supported that the election of the Officers and the discharge from liability be made by the Executive Committee. He further observed that the Executive Committee is in fact a representative assembly in which each organization has one vote. The Executive Committee decided not to endorse Professor Eklund's proposal. However, it agreed to insert a new provision, in article 11, whereby if a vote was to be taken in relation with the report by the auditors, the President, the Secretary General and the Treasurer would not be entitled to vote.

7. Information on the XVII th World Congress of Labour Law and Social Security, Montevideo, 2-5 September 2003

The Organizing Committee of this Congress informed on several organizational matters of this Congress. The Executive Committee appointed the chairpersons for the different sittings of the Congress. It also appointed Professor Ascher-Vonk (the Netherlands) as moderator of the Round Table on the future of Labour Law, to replace Professor Casas Baamonde (Spain), who was not able to attend the Congress.

8. Futures congresses of the ISLLSS

- a) **XVIII th World Congress of Labour Law, Paris, 2006: Agenda and appointment of rapporteurs**

The Executive Committee agreed to held this Congress from Tuesday 5, to Friday 8 September 2006 in Paris, with the following agenda:

- Theme 1: Trade liberalization and labour law and social security.
 Theme 2: Labour law (in its individual and collective aspects) and productive decentralization.
 Theme 3: Occupational risks: social protection and the employer's liability.
 Round Table: What future for statutory regulation in the field of labour law?

The Organizing Committee will in due time make proposals concerning the names of the reporters and panelists.

The Secretary General recalled that it is the established practice of the Society that reporters in world congresses need to be agreed upon by the Executive Committee. To this end he suggested that the Executive Committee use the procedure of consultation by mail under article 8.2. of the by-laws that would likely be approved by the General Assembly of 5 September 2005.

It was agreed that the Secretary General pursue his consultations with the organizing committee and come back to the Executive Committee with a finalized proposal.

b) VI th American Congress, Mexico, 2004 (for information)

The Executive Committee noted that there was a slight change in the date of this Congress (15 to 18 September 2004, instead of 13 to 16 September, as approved in Stockholm). It also observed that agenda item No. 2 has been changed, as Professor de Buen now proposed that it be: ***Internationalization of collective labour relations*** instead of **Internationalization of labour and employment relations within the framework of the Free Trade Agreement for the Americas**, as approved in Stockholm. Several members also strongly objected to the selection of reporters, which they considered unbalanced having regard to the excessive number of nationals from the host country, the few number of north americans, the absence of reporters from *inter alia* Chile and Peru and the participation of colleagues from other regions. It was agreed that further consultations would have to take place between Professor de Buen, the President, the Secretary General and the national associations from the region, with a view to finalizing an agenda which could be endorsed by all the interested parties.

c) VIII th Asian Congress, Taipei 2005

The Congress will take place from 25 to 28 April 2005.

The Agenda of this Congress was already approved in Stockholm, 2002. It will consist in three topics and a Round Table, as follows:

The Agenda of the Congress will include the following themes:

- Theme 1 The participation of Women in the Labour Market -- Toward the Goal of Gender Equality in Employment in the 21st Century.
 Theme 2 The Impetus for Economic Restructuring and the Protection of Workers' Rights.
 Theme 3 The Asian Experiences on the Old-Age Security or Pension System.

Round Table: The Impact of Globalization on Work Patterns and Labour Relations.

d) VIII th European Congress, Bologna, 2005

It was confirmed that the Congress would take place from 21 st to 23 rd september 2005 and a provisionl programme was distributed by Professor Carinci. The Executive Committee would meet on 20 September, from 9 am to 1 pm, with an afternoon sitting if necessary.

Poster sessions would also take place on 20 September, upon request.

Professor Carinci anticipated that provision would be made for interpretation services being made available in the following languages: English, French, Spanish, German and Italian.

The Executive Committee approved the following modified agenda of this Congress:

Theme 1:	Family Allowances.
Theme 2:	Processes of social law making and implementation within the European Union.
Theme 3.	Transfer of Undertakings: a Delicate Compromise among Individual Protection, Labour Market and Economic Development.
Round Table:	The New Boundaries of Employee Information and Consultation.
Round Table:	Challenges in Labour Law and Collective Bargaining in Central European Countries, which arise out of their integration into the European Union.

e) Other congresses

II nd African Regional Congress, 2006: Professor Bosch, on behalf of SASLAW, conveyed his association's interest and willingness to convene an African Regional Congress, in Capetown or Johannesburg in the first quarter of 2006. Amongst the themes to discuss he mentioned Labour and Social Security in Africa, and Dispute Resolution. Professor Pougoué (Cameroon) suggested that this initiative be shared by SASLAW with other African Members. The Secretary General will follow up on this question.

VI American Regional Congress, 2007: The Asociación Argentina de Derecho del Trabajo y de la Seguridad Social proposed its candidature to organize the VII American Congress in 2007, in Buenos Aires or Mar del Plata.

XIX World Congress, 2009 : The Secretary General announced he had received two applications in respect to this Congress, respectively from the Instituto Brasileiro de Direito Social Cesarino Junior, and the Australian Labour Law Association. He observed that the Instituto Cesarino Junior was not present at the meeting.

Professor Ron Mc Callum, on behalf of the Australian Labour Law Association confirmed his association's interest in hosting the World Congress in 2009. The Executive Committee warmly welcomed this invitation.

The Executive Committee will take a final decision on the date, venue and agenda of the above-mentioned Congresses at its next meeting, in Bologna, September 2005.

9. Report on the consultation on organizational and scientific questions relating to ISLLSS congresses (task group Servais) (first discussion).

This point was introduced by Honorary President Servais. As there was no afternoon sitting of the Executive Committee there was actually very little time left for a discussion on this important item, which will be discussed again in 2005.

10. Other questions.

Appointment of Honorary President: Professor Clyde Summers recalled that it is an established practice that all former Presidents and Secretary Generals of the Society be appointed as Honorary Presidents upon leaving office. The Executive Committee accordingly appointed Professor Blanpain as Honorary President of the Society.

Webpage of the Society: The Secretary General announced that the Society's webpage can no longer be lodged in the ILO public website. He is in talks with some universities and member associations and is confident that a suitable solution will be found, so that our webpage can be back only again shortly.

The meeting was closed by the President at 1 pm.