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

Case postale 500
CH-1211Genève 22
(Switzerland - Suisse)
Tel. 41.22.799.69.61
Fax 41.22.799.87.49
http://www.ilo.org/isllss

ISLLSS BULLETIN N^{O} 100

June 2003

Dear colleagues

ANNOUNCEMENTS BY THE SECRETARY GENERAL

Air fares to attend the Congress of Montevideo

I have received the following quotations from the Congress Organizer, Easy Planners :

From Madrid: U$S 796.-
From Frankfort: U$S 935.-
From Paris: U$S 1167.-
From Lisbon: U$S 1157.-
From Copenhagen: U$S 1224.-
From Amsterdam or Oslo: U$S 1538.-
From Vienna: U$S 1152.-
From Johannesburg: U$S 1030.-

The above quotations are roundtrip fares and include taxes. Travel from Madrid is with Pluna. Travel from all the other cities is with Varig.

If you are interested in these fares, please contact Easy Planners : easy@adinet.com.uy as these are fares for PTA tickets which must be ordered from Montevideo.

President / Président
Roger BLANPAIN
Klein Dalenstraat 46
B-3020 WINKSELE/HERENT
(Belgium/Belgique)
E-mail: *roger.blanpain@cer-leuven.be*

Secretary-General a.i. / Secrétaire général a.i.
Arturo BRONSTEIN
ILO - BIT
Case postale 500
CH-1211 GENEVE 22
(Switzerland/Suisse)
E-mail: *bronstein@ilo.org*

Treasurer / Trésorière
Irene Petronella ASSCHER-VONK
Catholic University Nijmegen
Faculty of Law
Th. Van Aquinostraat 6
NL-6526 GHD NIJMEGEN
(Netherlands/Pays Bas)
E-mail:I.Asscher@jur.kun.nl

Proceedings of the VII European Congress of Labour Law and Social Security, Stockholm, September 2002

When my last Bulletin No. 99 came out some of the reports submitted to this Congress were still missing in the website of the Faculty of Law, University of Stockholm. They are now all online, and can be consulted at the following Web address: http://www.juridicum.su.se/stockholmcongress2002/.

The General Reports are available in English, French, German and Spanish.

All the reports and papers, including my summary of the debates, have also been published as No. 48 of the Bulletin of Comparative Labour Relations (Kluwer).

Who is an Employee? The debate on the Scope of the Employment Relationship at the International Labour Conference

The recently concluded 91 st Session of the ILO Conference has held a General Discussion on the Scope of the Employment Relationship. The major problems relating to this issue have been identified in the Report prepared by the Office. I warmly recommend you to have a look into this state of the art report, which is based on 39 national studies and includes very recent judicial decisions. The Report is available in English, French, Spanish, German, Arabic, Russian and Chinese. The English, French and Spanish versions can also be consulted online: http://www.ilo.org/public/english/standards/relm/ilc/ilc91/pdf/rep-v.pdf .

The Conference discussion reached to conclusions, which can also be consulted online at the following Web address: http://www.ilo.org/public/english/standards/relm/ilc/ilc91/pdf/pr-21.pdf

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(Netherlands/Pays Bas)
E-mail:*I.Asscher@jur.kun.nl*

News from the ISLLSS

1. XVII WORLD CONGRESS OF LABOUR LAW AND SOCIAL SECURITY, Montevideo, Uruguay, 2-5 September 2003.

The Congress will be held at the Radisson Victoria Plaza Convention Center. The Web address of the Hotel is http://www.radisson.com/montevideouy.

On Tuesday, 2 September, there will be a meeting of the Executive Committee from 9 am to 1 pm, with an afternoon sitting if necessary. Simultaneous interpretation from and into English, French and Spanish will be provided for this meeting.

Facilities will also be made available at the Convention Center for study groups and poster sessions to take place in the afternoon of September 2, upon request. To this end, please contact the Organizing Committee (see e-mail address, below).

On September 2 there will also be a meeting of Labour Court Judges (in Spanish only), which is being jointly sponsored by the Supreme Court of Uruguay, the ISLLSS and the ILO. The agenda of this meeting will include the following points:

> How to speed up labour litigation?
> Rapporteur: Magistrate Julio A. Suárez, Supreme Court of the Dominican Republic.
>
> Criteria that are used under case law to determine whether an employment relationship exists.
> Rapporteur: Minister Maria Cristina Irigoyen Peduzzi, Superior Tribunal of Labour, Brazil.

Attendance to this meeting is upon invitation by the host institution.

The opening ceremony of the Congress will take place on Tuesday, 2 September, from 6.30 pm. to 7.15 pm. It will be followed by a keynote address, from 7.15 pm to 8 p.m., by our Honorary President Jean-Michel Servais, who will also attend the Congress in the capacity of Representative of the ILO Director General, Juan Somavía. Mr. Servais' keynote address will be focused on Globalization and Workers' rights. A welcome reception will take place at 8.30 pm.

Plenary sittings will start on Wednesday, 3 September at 9 am.

The closing ceremony will take place on Friday, 5 September at 6 pm. It will be followed by the General Assembly of our Society.

The languages of the Congress will be English, French, German and Spanish with simultaneous interpretation. German interpretation will be made available in the sittings of 3, 4 and 5 September.

Registration fees

a) Registrations made until 31.07.03: participants: US$ 200; students: US$100; accompanying persons: US$50.
b) Registrations made after 31.07.03: participants: US$250; students: US$110; accompanying persons: $60.

Brochure and Website of the Congress

A trilingual brochure of the Congress is already available. An electronic bilingual Spanish/English brochure is online at the following address:
http://www.congresomontevideo2003.com

A second brochure containing the finalized program will come out very shortly.

E-mail addresses of the Congress are:

XVII_conglab@netgate.com.uy and easy@adinet.com.uy

Agenda

The Agenda is the following:

Theme I. ***The Actors in 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 dal Ré (Spain)
José Francisco Siqueira Neto (Brazil)

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

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

Round Table: ***Labour Law vis-à-vis New Forms of Corporate Organization.***

Moderator: Francisco Walker Errázuriz (Chili)
Panelists: Yuch-Chin Hway, Taiwan (China)
Néstor de Buen Lozano (Mexico)
A T J Jacobs Tilbay (the Netherlands)
Guylaine Vallée (Canada)
Marie-Laure Morin (France)
Csilla Kolloney Lehocesky (Hungary)

Round Table*:** ***Challenges and Perspectives of the Labour Law

Moderator: María Emilia Casas Baamonde (Spain)
Panelists: Franco Carinci (Italy)
Antoine Jeammaud (France)
Mozart Russomano (Brazil)
Mario Ackerman (Argentina).

I have received 110 national reports, i.e. 40 on point I, 34 on point II and 36 on point III (see annex). They will be made available on CD-Rom, in their respective original languages. The general reports will be edited and published in English, French and Spanish.

Tourist packages

Please refer to the online brochure of the Congress (see above).

Fellowships

I have received several applications for ISLLS grants, to help young scholars to attend this Congress. The Officers are now examining the applications. The beneficiaries of ISLLSS grants will be contacted no later than 31 st July.

2. Other congresses:

- VIII th Asian Regional Congress, Taipei, 2005

- V th American Regional Congress, Mexico, 2004

- VIII th European Regional Congress, Bologna, 20-23 septembre 2005

- XVIII th World Congress, Paris 2006

Please, refer to the announcements already made in our Bulletin N° 97. Information on these congresses can also be obtained from the ISLLSS Webpage: http://www.ilo.org/isllss.

At our Executive Committee meeting in Montevideo, September 2003, I would like to receive proposals on the date and venue of the regional and world congresses that will take place in the period 2007-2009.

I have, in addition, received the following information:

VIII Asian Congress: Taipei, 2005

It is proposed that the Congress takes place from 25 to 28 April 2005.

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.

The Organizing Committee is planning to invite a Rapporteur from Taiwan for Theme I, a Rapporteur from Australia for Theme II and a Rapporteur from the Philippines for Theme III.

VIIIth European Regional Congress, Bologna, 2005

The Congress will take place from 21 to 23 septembre 2005. The Executive Committee will meet on 20 September, from 9 am to 1 pm, with an afternoon sitting if necessary. Poster sessions will also take place on 20 September, upon request.

In addition to the original programme, the organizing committee is considering to hold a Round Table on Challenges in Labour Law and Collective Bargaining in Central European Countries, which arise out of their integration into the European Union.

The final agenda and programme will be communicated after the Executive Committee meeting of Montevideo.

The Organizing Committee intends to provide for interpretation into and from English, French and Spanish.

3. Consultation on scientific and organizational aspects of ISLLSS congresses (Task force Servais)

Our Honorary President Jean-Michel Servais is coordinating a task force, with a view to making recommendations to the Executive Committee on organizational and scientific matters relating to our World and Regional Congresses. All our Honorary Presidents, Vice-Presidents as well as the Chairpersons of the organizing committees of some past and future ISLLSS congresses, together with the officers of the ISLLSS have been associated to this consultation. President Servais will submit his report to our next Executive Committee Meeting, in Montevideo, in September 2003, for a first discussion.
A second and final discussion will take place at the following Executive Committee meeting, Bologna, September 2005.

4. Study Groups

Changes in study groups composition

I have received the following mail from Professor Alvin Goldman :

> *George Nicolau recently informed me that time constraints prevent him from continuing to act as coordinator for the Study Group on Arbitration as a Dispute Resolution Mechanism. In his place, I have recruited two other former presidents of the National Academy of Arbitrators: Arnold Zack and John Kagel. Their agreement to do this is based on expanding the focus of the study group to specifically include mediation. I propose that we accept their offer and rename the study group "Arbitration, Mediation and Other Dispute Resolution Methods."*
>
> *Their respective contact information is:*
>
> *Arnold Zack,*
> *170 West Canton St.,*
> *Boston, MA 02118, USA;*
> *fax- 617 262-3627;*
> *email- azack@law.harvard.edu*
>
> *John Kagel,*
> *P.O. Box 50787,*
> *Palo Alto, CA 94303, USA*
> *fax- 650 325-4394;*
> *email- medarb@attglobal.net*
>
> *I hope this meets with your approval.*
> *Alvin Goldman*

5. News from our Members

BELARUS

I have received the following message from Yaruslau Krivoy

Dear Mr. Bronstein

I would like to inform you that Belarusian Labour Law Association has been de facto established. However, according to the recent governmental regulations activities of non-registered organisations are not allowed in Belarus. The Association is supposed to be registered officially this summer. Victor Ivanovich Krivoy, was elected as a chairman of the Association. There were 17 people at the founding meeting, who wished to become members of the Association, most of them are professors or PhD students of Belarusian universities. Should you need further information, please let me know. I will inform you about the developments with regard to the registration of the Association with authorities.

Our Executive Committee will examine the application by the Belarus Association.

FINLAND

Prof. Kari-Pekka Tiitinen, who has been the president of the association for almost 20 years, has retired from the chairmanship of the Finnish member association of ISLLSS (Työoikeudellinen yhdistys). The new chairperson is Judge Pekka Orasmaa, President of the Labour Court. President Orasmma contacts are the following :

Pekka Orasmaa
President
Labour Court
P.O.Box 165
FIN-00141 Helsinki
Finland
Tel. +358 8 176 055
Mobile +358 40 715 1321
Fax + 358 9 662 771
e-mail : pekka.orasmaa@om.fi

FRANCE

New e-mail address of the Centre d'études comparées du Droit du travail et de la sécurité sociale, COMPTRASEC:

comptrasec@montesquieu.u-bordeaux.fr devient comptrasec@u-bordeaux4.fr
leguy@montesquieu.u-bordeaux.fr devient leguy@u-bordeaux4.fr

GERMANY

New Executive Committee of the German Section of the ISLLSS:

President :

Dr. h.c. Manfred Löwisch, Freiburg, Vorsitzender

Members :
Professor Dr. Hellmut Wißmann, Präsident des Bundesarbeisgerichts, Erfurt, stellv. Vorsitzender
Professor Dr. Ulrich Becker, Direktor des Max-Planck-Instituts für ausländisches und internationales Sozialrecht, München
Professor Dr. Rolf Birk, Trier
Professor Dr. Meinhard Heinze, Bonn
Professor Dr. Monika Schlachter, Jena
Vorsitzender Richter am Bundesarbeisgericht, Harald Schliemann, Erfurt.

We convey our greatest thanks to Professor von Maydell, Vice-President of our Society, who has retired from the Max Planck Institute and has also left the Executive Committee.

Professor Löwish contacts are :

Albert-Ludwigs-Universität Freiburg
Institut für Wirtschafts- Arbeits- und
Sozialversicherungsrecht
Abt. II: Arbeitsrecht
Direktor: Prof. Dr. iur. Dr. h.c. Manfred Löwisch
Wilhelmstr. 26
79085 Freiburg
Telefon: (0761) 203 – 2275
Telefax: (0761) 203 – 2273
E-Mail: arbeitsrecht@jura.uni-freiburg.de

ICELAND

I have received the following letter from Professor Emeritus Sigurdur Líndal:

> *The Icelandic Society for Labour Law*
> *International Society for Labour Law and Social Security.*
> *C/o Arturo Bronstein*
> *Fax 004 122 799 8749*
> *Reykjavík 13 May 2003*
> *The Icelandic Society for Labour Law (Vinnurettarfélag Íslands) established the 12th of December 2001 confinns hereby its application for membership of the International Society for Labour Law and Social Security.*
> The Icelandic *Society for* Labour Law has at present about 60 members.
> *The address is:*
> *The Icelandic Society for Labour Law*
> *c/o Hrafnhildur Stefánsdóttir , Attorney to the Supreme Court*
> *Confederation of Icelandic Employers*
> *Borgartún* 35
> *Reykjavík / Iceland*
> e-mail: hrafnhildur@sa.is
> *Tel. +35 4591 0000 / direct +35 4591 0020 / mobil +354 821 0020*
> *Fax. +3545910050*
> *President Professor emeritus Sigurdur Líndal e-mail: lindal@hi.is*
> *Bergstaoastraeti* 76
> *101 Reykjavík I Iceland*
> *Sincerely yours,*
> *Sigurdur Líndal president*

I will be submitting this application to our Executive Committee meeting in Montevideo.

LITHUANIA

I have received the following mail from Professor Dr. Tomas Davulis, Faculty of Law, University of Vilnius:

> *I have the honour to inform you that on the 18 of June 2003 the Lithuanian Society for Labour Law and Social Security was established. The Society joins Lithuanian scholars as well as practitioners specialising in Labour Law and Social Security Law. The aims of*

the Society are of a purely scientific character and fully correspond to the aims and objectives of the International Society for Labour Law and Social Security. We have 15 Members at this stage, but we consider good chances to attract more new members (lawyers, judges, higher-level public servants) in the near future. At the meeting of founders of the Society Prof. dr. Ipolitas Nekrosius (Faculty of Law, Vilnius University) was elected to the position of the President, Prof. dr. Genovaite Dambrauskiene (Faculty of Law, Lithuanian Law University) and Assoc. Professor Dr. Tomas Davulis were elected to the positions of Vice-presidents of the Society. Ms. Daiva Petrylaite was elected to the position of Secretary of the Society. See attached the List of Founders and the Minutes of the Meeting).

The candidature of the Lithuanian association will also be examined by our Executive Committee in Montevideo.

PANAMA

We congratulate Professor Rolando Murgas Torraza, who has been elected Dean of the Faculty of Law and Political Sciences, University of Panama.

SPAIN

We congratulate Professor Juan Antonio Sagardoy for his election to the Royal Academy of Jurisprudence and Legislation of Spain, at the former seat of the late Professor Alonso Olea.

6. Letter from the Treasurer

Our treasurer kindly requests your attention for the following.

1. Contributions are due by the Members of the society, namely:
National Affiliates
Individual Members
Institutional members
(see art. 3 Bylaws)

2. Amount of contribution

The Contribution is 7 US dollars for each year per individual member of the National Affiliate.

3. Method of Payment
Contribution for any year is due, without further notice, in January of the year concerned.
Payment of contribution shall be made to the Treasurer.
Notification of payment is to be sent to the Treasurer, accompanied by a document containing:
- The name of the member
- The number of individuals the contribution purports to (that is the number of national members or persons working in the field of the Society within the National member).

4. Contributions should be paid by transfer to:
ABN/AMRO
Postbus 97701
2509 GC Den Haag

Account No. 58.60.47.409
ISLLSS Treasurer Prof. Asscher-Vonk

7. News from the ILO

ILO Conference

The 91 st Session of the ILO Conference was held in Geneva from 3 to 19 June 2003. A press release on the Conference is available online at the following address: http://www.ilo.org/public/english/bureau/inf/pr/2003/35.htm All the reports submitted to the Conference, as well as its proceedings can also be consulted online: http://www.ilo.org/public/english/standards/relm/ilc/ilc91/index.htm

8. World Congress of IIRRA, Berlin, September 8-12, 2003

Please, refer to the online brochure of the Congress: http://www.fu-berlin.de/iira2003/

9. Books received:

Francisco Walker Errázuriz, Derecho de las Relaciones Laborales, Editorial Universitaria, Santiago de Chile, 2002. Professor Francisco Walker Errazuriz has published this very detailed book on labour law, labour relations and labour administration in Chile.

* * * *

Kind regards

Arturo Bronstein
Secretary General ai.

ANNEXE/ANNEX/ANEXO

XVII WORLD CONGRESS OF LABOUR LAW AND SOCIAL SECURITY
XVII CONGRES MONDIAL DU DROIT DU TRAVAIL ET DE LA SECURITE SOCIALE
XVII CONGRESO MUNDIAL DE DERECHO DEL TRABAJO Y DE LA SEGURIDAD SOCIAL

MONTEVIDEO, URUGUAY 2-5 SEPTEMBRE 2003-06-24

RAPPORTS NATIONAUX RECUS/NATIONAL REPORTS RECEIVED/INFORMES NACIONALES RECIBIDOS

(Par ordre alphabétique français/in French alphabetical order/en orden alfabético francés)

PAYS	THEME I	THEME II	THEME III
Afrique du Sud/South Africa/Sudáfrica		X	X
Allemagne/Germany/Alemania	X	X	X
Argentine/Argentina	X	X	X
Australie/Australia	X	X	X
Autriche/Austria	X	X	X
Belgique/Belgium/Bélgica	X	X	X
Bolivie/Bolivia	X	X	X
Brésil/Brazil/Brasil	X	X	X
Canada	X	X	X
Chili/Chile	X	X	X
Colombie/Colombia	X	X	X
Costa Rica	X	X	X
Equateur/Ecuador	X	X	X
Egypte/Egypt/Egipto	X		X
Espagne/Spain/España	X	X	
Etats-Unis/USA/Estados Unidos	X	X	X
France/Francia	X	X	X
Honduras	X	X	X
Hongrie/Hungary/Hungría	X	X	X
Israel	X		
Italie/Italy/Italia	X	X	X
Japon/Japan		X	X
Maroc/Morocco/Marruecos	X		X
Mexique/Mexico	X	X	X
Norvège/Norway/Noruega	X		X
Nouvelle Zélande/New Zealand/Nueva	X		X

PAYS	THEME I	THEME II	THEME III
Zelandia			
Pays-Bas/ Netherlands/Países Bajos	**X**	**X**	**X**
Panama	**X**	**X**	**X**
Paraguay	**X**	**X**	**X**
Perou/Peru	**X**		**X**
Pologne/Poland/Polonia	**X**	**X**	**X**
Portugal	**X**	**X**	
Rep. Dominicaine/ /Dom. Republic/Rep. Dominicana	**X**	**X**	**X**
Rep. Tchèque/ Czech Republic/Rep. Checa	**X**	**X**	**X**
Roumanie/Romania/rumania	**X**		**X**
Royaume Uni/ United Kingdom/Reino Unido	**X**	**X**	
Slovenie/Slovenia/Eslovenia	**X**		
Suède/Sweden/Suecia	**X**	**X**	**X**
Taiwan, China	**X**	**X**	
Turquie/Turkey/Turquía	**X**	**X**	**X**
Uruguay	**X**	**X**	**X**
Venezuela	**X**	**X**	**X**
	40	**34**	**36**