
THE LIGHTHOUSE FUNCTION OF SOCIAL LAW

ISLSSL XIV European Regional Congress

06
SEP
2023

07
SEP
2023

08
SEP
2023

GHENT



ABOUT THE CONFERENCE

Specialists from all over Europe and beyond will discuss four major topics from an interdisciplinary perspective.

The direction we point our ship in

The objective is to shed light on a broad range of subjects, the key question being the existence of a connection between social law sensu stricto (labour law and social security law) and other areas of law.

In recent times, labour law and social security law have been subject to many reforms. Some even say that this area of law is in a crisis. To get an overall picture of the current evolutions in relation to other areas of law, LIISA | Lab for International & Interdisciplinary Social Affairs dedicates a three-day congress to this theme. Can we, by looking at these evolutions, draw certain conclusions at an innovative scientific level? For instance, what is the role of basic legal principles in those interactions? Are there any recurring similar basic principles or legal mechanisms?

We invite you to embark on our journey to discover, together, how social law constitutes a lighthouse to other areas of law.

The lighthouse analogy

Our team was brainstorming about possible names for our congress. During a chat at home, the wife of professor Jorens came up with 'The Lighthouse Function of Social Law'. This congress name immediately rang true. Social law is not an isolated domain but rather interacts and exchanges with other fields, often even functioning as a guide or giving direction to those lost at sea. In other words: a lighthouse.

The four points of our compass

The Lighthouse Function of Social Law Congress will be oriented towards four broad topics. These constitute the four points of our compass:

1) Basic and fundamental principles in European social law

What constitutes the substructure of our social system? Which basic principles give shape to it? The development of social fundamental rights in several international and regional instruments (e.g. Council of Europe) and of the basic principles within the European Pillar of Social Rights is an indication of the quest for basic principles but also of the undercurrent of tension between fundamental rights and economic needs. Does the protection of the employees play an equally fundamental role in this respect? Furthermore, different levels (EU, ECHR, UN, constitution...) give shape to this topic. What are the consequences of the adoption of such principles for the development of our social systems and for the concrete rights and obligations of all parties involved? Can we find common characteristics in our European systems? How do internal constitutional and national regulations interfere with the European dimension?



2) The future in the light of the past

Our labour market is regularly affected by a crisis. The 2008 financial crisis and the COVID-19 crisis both entailed ad hoc or other measures to save the labour market and also our social system. Sometimes, measures are taken that seem to question the fundamental principles of our systems, thus rewriting our social system through measures concerning working time, work organisation, dismissal law, relaxing of the conditions to be entitled to benefits, a whole bunch of subsidies, increasing equalisation between the self-employed and employees, even more flexibility, etc. These changes sometimes constitute the forerunner of new measures. More often, however, in the hindsight they appear to have been ad hoc measures that are later reversed. Usually, crises are not exactly the best teacher when it comes to reforms. Nonetheless, these crises do reveal the limitations of our existing systems. Could we draw lessons from them to know what we should and should not do? Could we draw comparisons with steps undertaken in past crises? Until the nineteenth century, many people worked at home without any social security whatsoever. Is history repeating itself?

3) The impact of regionalisation

The division of powers between regional, national and European levels continues to present major challenges. The answers to the COVID-19 crisis constitute a prime example of this. Will we manage to react at the proper level? Is there such a proper level in the first place? Do regional organisations such as the Benelux, Nordic Countries, Council of Europe, OECD, EU, or other regional organisations outside Europe take initiatives to safeguard their social models? The limited powers (?) of the EU when it comes to labour law, social security law, health law (including occupational health) have surely revealed within the EU that Member States often had directly opposing views, but also that the powers of various actors are sometimes difficult to reconcile. The increasing role of social compensation mechanisms (which

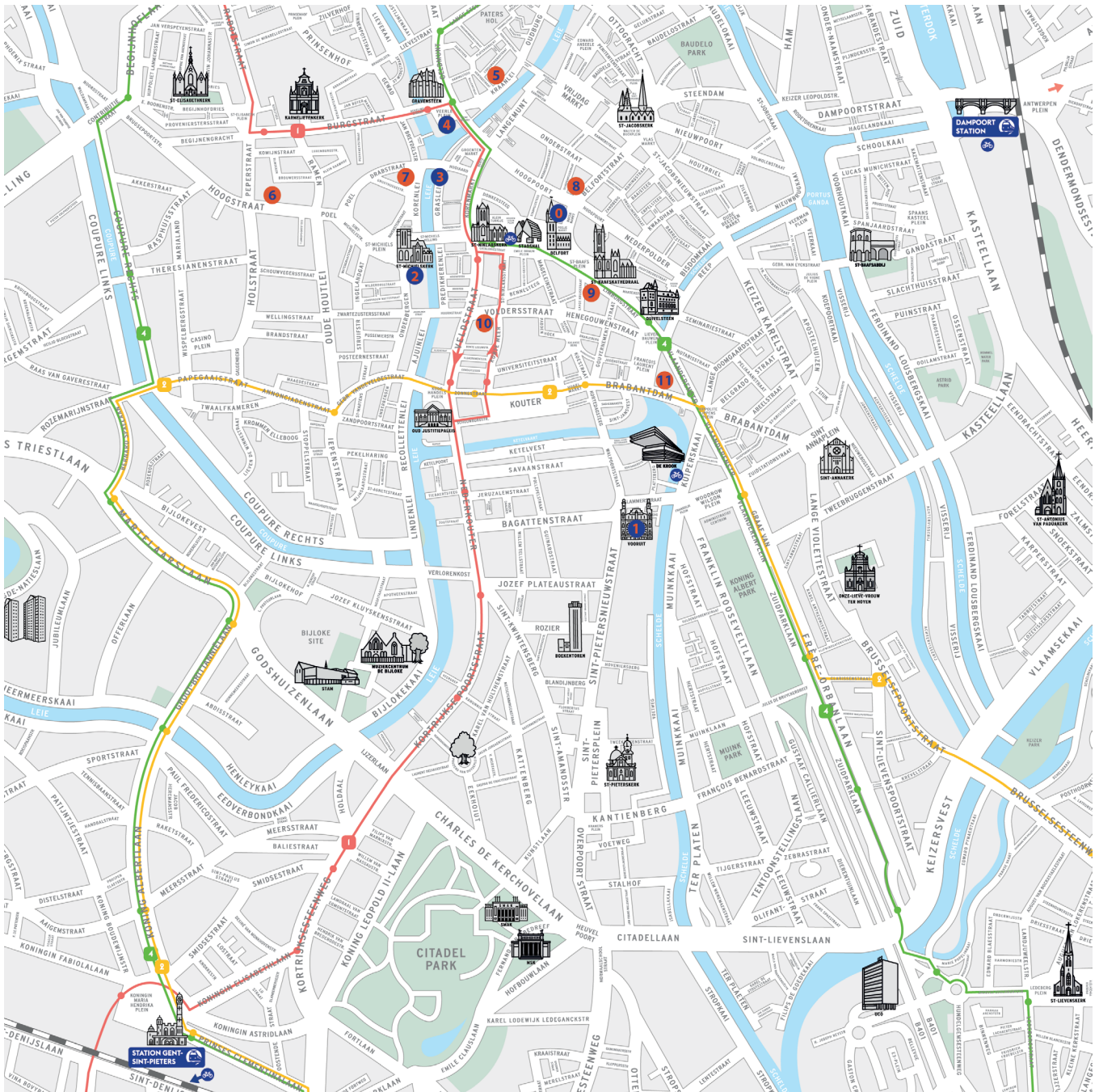
“Social law is not an isolated domain but rather interacts and exchanges with other fields, often even functioning as a guide or giving direction to those lost at sea.”

do not fall within EU competence) presents numerous challenges. The role of national systems and national powers needs to be addressed in this context. At the same time, we are fighting at European level for the survival of our social model. Nothing could better illustrate this than Brexit as well as social clauses in international treaties. Who does what? Who is able to act?

4) Enforcement in social law

Effective enforcement of labour and social security law entails numerous challenges and hurdles. How can the effectiveness of social law be strengthened? Whereas some push for an administrative law approach or a civil law way, others zealously defend a penal method. In addition, judicial supervision of labour law infringements obviously also remains an option. Furthermore, within the EU, the Court of Justice of the EU has elaborated some principles with a view to effective enforcement of European social law. Which role do all actors play in this regard? Various third actors such as social partners, NGOs, but also private players in security play an increasingly important role in enforcement. Could they facilitate or even take over the role of inspection services? In this respect, it is not without importance to note that soft law also progressively makes its entrance in social law. What is the legal value of open method coordination? What is its impact on enforcement?

VENUES



- 1 VIERNULVIER (The Vooruit)
Opening ceremony on 6/9
Sint-Pietersnieuwstraat 23, 9000 Ghent
- 2 Het Pand
Conference venue on 7-8/9
Onderbergen 1, 9000 Ghent
- 3 Boarding boat tour on 7/9
Gent-Watertoerist jetty on Graslei, 9000 Ghent
- 4 The Oude Vismijn
Gala dinner venue on 7/9
Sint-Veerleplein 5, 9000 Ghent

- 5 Hotel Harmony
Kraanlei 37, 9000 Ghent
- 6 Pillows Grand Boutique Hotel Reylof
Hoogstraat 36, 9000 Ghent
- 7 Hotel Marriott
Korenlei 10, 9000 Ghent
- 8 NH Ghent Belfort
Hoogpoort 63, 9000 Ghent
- 9 Ibis Cathedral Ghent
Limburgstraat 2, 9000 Ghent
- 10 B&B Hotel Ghent Centre
Voldersstraat 17, 9000 Ghent
- 11 Yalo Urban Boutique
Brabanddam 33, 9000 Ghent

- Tram 1
Gent Flanders
expo - Evergem/
Wondelgem
- Tram 2
Zwijnaarde - Melle
- Tram 4
Gent UZ - Moscou

PROGRAMME

WEDNESDAY 6 SEPTEMBER

CONFERENCE VENUE DE VOORUIT

18.00H	OFFICIAL OPENING OF THE CONFERENCE	
	Prof. Mieke Van Herreweghe	Deputy-vice-chancellor Ugent
	Prof. Yves Jorens	Faculty of Law and Criminology Ugent
	Prof. Maria Emilia Casas Baamonde	President ISLSSL (Spain)
	Mr. Joost Korte	Director-General for Employment, Social Affairs and Inclusion (EMPL), European Commission
	Mr. Frank Vandenbroucke	Deputy Prime Minister and Minister for Health and Social Affairs, Belgium
19.30H	WELCOME COCKTAIL	

THURSDAY 7 SEPTEMBER

CONFERENCE VENUE HET PAND

08.00H	REGISTRATION	FOYER
09.00H	OPENING OF THE CONFERENCE	REFTER
	Prof. Alexander De Becker, Ugent, president Begasoz	
09.15H	GENERAL SESSION 1 BASIC AND FUNDAMENTAL PRINCIPLES IN EUROPEAN SOCIAL LAW	REFTER
	Prof. Koen Lenaerts, President of the Court of Justice of the European Union and Professor of European Union Law, Leuven University' (keynote)	
	Prof. Eva Kocher, European University Viadrina in Frankfurt (Oder), Germany (keynote)	
	Followed by a panel discussion	
	Session chair: Prof. József Hajdú, professor of law at the University of Szeged (Hungary)	
10.45H	COFFEE BREAK	KAPITTELZAAL

11.15H	PARALLEL WORKSHOP 1: EUROPEAN PILLAR OF SOCIAL RIGHTS AS A BEACON FOR NEW RIGHTS	AUGUST VERMEYLEN (ENG)
	Penelope Hardy, PhD student, University of Strasbourg, France	The ability of the EU to protect the right to social security (ENG)
	Pieter Pecinovsky, Dr. Senior Affiliated Researcher KU Leuven; Substitute Lecturer at ULB and UCLouvain, Belgium	NextGenerationEU: the Recovery and Resilience Facility as an implementation tool of the European Pillar of Social Rights (ENG)
	Fernandez Martinez Silvia, Assistant professor University of Santiago de Compostela, Spain	Education, training and lifelong learning in the European Pillar of Social Rights (ENG)
	Bárbara Torres, PhD student Universidad de Santiago de Compostela, Spain	Where are we heading? Lifelong learning as a guiding principle of the combination of technology and social progress (ENG)
	Session chair: Stefano Giubboni, lawyer, is full professor of labour law at the University of Perugia	

11.15H	PARALLEL WORKSHOP 2: SOCIAL RIGHTS AS A SOFTENING INSTRUMENT	PRIORZAAL (ENG)
	Anna Tsetoura, Dr. Open Hellenic University, Greece	From covid crisis to fundamental rights crisis (ENG)
	Cristina Hiessl, Professor KULeuven, Belgium	“Enforcement priorities” as an escape route from European competition law? (ENG)
	Melanie Studer, Lecturer and professor at the Lucerne University of Applied Science and Arts – Social Work	Access to justice in social assistance in Switzerland: Lost in federalism? (ENG)
	Session chair: Luka Mišič, Professor University of Ljubljana, Slovenia	

11.15H	PARALLEL WORKSHOP 3: WHO IS DISCRIMINATED?	REFTER (TRANSLATED IN ENG/ES/FR)
	Yolanda Maneiro Vázquez, Professor Santiago de Compostela, Spain	Discrimination by association since its creation by the Court of Justice (ES)
	Beatriz Rodriguez, Professor, Universidad pública de Navarra, Spain	From anti-discrimination guardianship to the protection of situations of vulnerability: possibilities and limits in European Union law (ES)
	Iciar Alzaga, Full professor, UNED, Madrid, Spain	The protection of social rights by the European Court of Human Rights: the construction of essential social principles (ES)
	Session chair: Ana Belén Muñoz Ruiz, Universidad Carlos III de Madrid	

12.30H	LUNCH	KAPITTELZAAL
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13.30H	GENERAL SESSION 2 THE FUTURE IN THE LIGHT OF THE PAST	REFTER (TRANSLATED IN ENG/ES/FR)
	Prof. Michel Martone, Sapienza University, Roma, Italy (keynote)	
	Prof. Letlhokwa Mpedi, vice-chancellor and principal University of Johannesburg, South Africa (keynote)	
	Followed by a panel discussion	
	Session chair: Kurt Pärli, Professor University of Basel, Switzerland	

15.00H	PARALLEL WORKSHOP 4: NOTHING NEW UNDER THE SUN	PRIORZAAL (ENG)
	Jasper Van de Woestijne, PhD Student Ghent University, Belgium	Divergence Explained by History (ENG)
	Bruno Debaenst, Associate professor Uppsala University, Sweden	The Past in the Light of the Future Lighthouses before the ILO (1889-1919) (ENG)
	Pieterjan Schepens, PhD student Ghent University, Belgium	More of the old? Capitalization and repartition in 1920s Belgian old age pensions legislation (ENG)
	Session chair: Jean Michel Servais, ISLSSL	

15.00H	PARALLEL WORKSHOP 5: SOCIAL LAW: NOT AN ISLAND IN THE SEA	REFTER (TRANSLATED IN ENG/ES/FR)
	Kurt Pärli, Professor University of Basel, Switzerland	The importance of social security and labour law for compliance with public health (ENG)
	Francisca Fernández Prol, Professor University of Vigo, Spain	The right to a fair wage: minimum wages and stress factors (ES)
	Session chair: Kristina Koldinska, Full Professor Prague university, Czech Republic	

15.00H	PARALLEL WORKSHOP 6 : ECONOMIC AND SOCIAL RIGHTS: AN IRRECONCILABLE MARRIAGE?	AUGUST VERMEYLEN (ENG)
	Guido Van Limberghen, Professor Free University Brussels, Department of Public Law	Setting European Social Security Standards for the Self-employed (ENG)
	Giulia Prosechi, Dr., University of Florence, Italy	Judicial balancing techniques in fundamental social rights' adjudication (ENG)
	Evelien Timbermont, Professor Free University of Brussels, Belgium	Equal treatment at the workplace. Do economic freedoms scream louder than fundamental rights? (ENG)
	Session chair: Prof. Doctor Maria do Rosário Palma-Ramalho President of APODIT – Portuguese Association of Labour Law; Vice-President of the ISLSSL	

16.00H	COFFEE BREAK	KAPITTELZAAL
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16.20H - 17.50H	GENERAL SESSION 3 THE IMPACT OF REGIONALISATION	REFTER (TRANSLATED IN ENG/ES/FR)
	Prof. Kubra Dogan Yenisey, Istanbul Bilgi University, Turkey (keynote)	
	Prof. Iveta Radicova, Paneuropean University (Bratislava), Slovakia (keynote)	
	Followed by a panel discussion	
	Session chair: Grega Strban, Professor University of Ljubljana, Slovenia	

18.45H	PICK-UP AT HOTEL	HOTEL
19.00H	BOAT TOUR TO CONFERENCE DINNER VENUE	BOARDING AT GENT-WATERTOERIST JETTY ON GRASLEI
19.45H	CONFERENCE GALA DINNER	OUDE VISMIJN

FRIDAY 8 SEPTEMBER

CONFERENCE VENUE HET PAND

09.30H	PARALLEL WORKSHOP 7: NOT ALL MIGRANTS ARE THE SAME	REFTER (TRANSLATED IN ENG/ES/FR)
	Lidia de La Iglesia, Professor University of Santiago de Compostela, Spain	The role of European Union law in regulating the work of healthcare workers in the Member States (ES)
	José Manuel Pazó Argibay, Associate professor, PDI Universidad Internacional de la Rioja, Spain	Human rights and due diligence of multinational enterprises in the European Union: current state of play (ES)
	Dolores Carrascosa Bermejo, Professor Universidad complutense and at Universidad pontificia comillas, Madrid, Spain	The legal status of EU national jobseekers, their right to free movement and to access social protection (ES)
	Session chair: Jose Maria Miranda Boto, Universidad de Santiago de Compostela	

09.30H	PARALLEL WORKSHOP 8: SOCIAL DIMENSION THROUGHOUT EU POLICIES	AUGUST VERMEYLEN (ENG)
	Maite Cester Maíllo, PhD Student, University of the Basque Country, Spain	From Experimentation to Experience or how the Coordination of Social Security System can learn from itself and other policy areas to build a more cohesive European Social Security Coordination System (ENG)
	Luka Mišič/ Grega Strban, Professors University of Ljubljana, Slovenia	Social Security and Free Movement: Why EU Mobility Will Always Come at a Price (ENG)
	Session chair: Sylvie Pétremand, University of Lausanne, Institute of Labour and Social Law (IDAT)	



09.30H	PARALLEL WORKSHOP 9: THE EU VERSUS THE EXTERNAL WORLD	PRIORZAAL (ENG)
	Melanie Hack, Dr. University of Bergen, Norway	No Need for a Lighthouse when you have Northern Lights? A critical assessment of the Norwegian legal framework on paid annual leave and its conformity with EU & EEA law (ENG)
	Helga Spadina/ Ljubinka Kovacevic, Associate Professor University of Osijek, Croatia and Professor University of Belgrade, Serbia	Social Law as the Lighthouse of the Labor Migration Law (ENG)
	Kristina Koldinska, Full Professor Prague university, Czech Republic	Be or not to be European. That is the question. Central European social systems facing the war in Ukraine (ENG)
	Session chair: Prof Elmarie Fourie, Head of Department Public Law, University of Johannesburg	

10.30H	COFFEE BREAK	KAPITTELZAAL
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11.00H	GENERAL SESSION 4 ENFORCEMENT IN SOCIAL LAW	REFTER (TRANSLATED IN ENG/ES/FR)
	Mr. Cosmin Boiangiu, Executive Director of the European Labour Authority (ELA) (keynote)	
	Prof. Sylvaine Laulom, Advocate General, French Court of Cassation (keynote)	
	Followed by a panel discussion	
	Session chair: Mona Naess, Ministry of Labour and Social inclusion, Working environment and Safety Department (Norway)	

12.30H	PARALLEL WORKSHOP 10: HOW TO IMPROVE COOPERATION	AUGUST VERMEYLEN (ENG)
	Yves Jorens, Full professor Ghent University, Belgium	Cooperation in the fight against social fraud: fiscal law as a lighthouse? (ENG)
	Wes Damen, PhD Student, Vrije Universiteit Amsterdam, Netherlands	Sounds good, doesn't work. The GDPR principle of transparency and data-driven welfare fraud detection. (ENG)
	Leonardo Battista/ Vincenzo Cangemi, Post Doc Researcher University of Bologna, Italy & Assistant professor University of Turin, Italy	The European Labour Authority: prerogatives and limits. (ENG)
	Session chair: Bart Stalpaert, SIOD Belgium	

12.30H	PARALLEL WORKSHOP 11: THE ACTORS FOR ENFORCEMENT	REFTER (TRANSLATED IN ENG/ES/FR)
	Ezgi Çırak, Research assistant Izmir University of Economics, Türkiye / Serenay Kara, research assistant at Izmir University of Economics/ Professor Dr. Zeynep Şişli, Izmir University of Economics	Cooperation in the fight against social fraud: fiscal law as a lighthouse? (ENG)
	Javier Gárate Castro, Professor, University of Santiago de Compostela, Spain	The contribution of the Court of Justice to the better transposition and implementation of the Framework Agreement on fixed-term work in the field of temporary public employment: the Spanish case (ES)
	Berna Öztürk Yılmaz/ Serdar Yılmaz, Assistant professor Ankara university, Türkiye & Assistant professor Başkent University Faculty of Law, Türkiye	The problem of effective enforcement of labour laws in Türkiye: “is there any word left unspoken under the sun?” (ENG)
	Session chair: Fabienne Kéfer, Uliège	

12.30H	PARALLEL WORKSHOP 12: HOW TO IMPROVE THE ENFORCEMENT OF LAW	PRIORZAAL (ENG)
	Giovanni Pigliararmi, Researcher at University of Modena and Reggio Emilia, Italy	From sanctions and remedies to prevention mechanisms: the effective application of labour law before and beyond courts in Italy (ENG)
	Sarah Knoop, PhD student University of Antwerp, Belgium	The enforcement of the principle of non-discrimination in the field of occupational pensions for employees in the EU (ENG)
	Session chair: Inger De Wilde, Ugent	

13.30H	CLOSING OF THE CONFERENCE	REFTER (TRANSLATED IN ENG/ES/FR)
	Prof. Yves Jorens, Faculty of Law and Criminology Ugent	
	Humberto Villasmil Prieto, Secretary-general ISLSSL	

14.00H	LUNCH	KAPITTELZAAL
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SPEAKERS





[HTTPS://WWW.SOCIALLAWGHENT2023.BE](https://www.sociallawghent2023.be)