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EUROPEAN DEMOCRATIC LAWYERS



INTERNATIONAL CONFERENCE

THE EVOLUTION OF LABOUR LAW IN EUROPE UNDER THE PRESSURE OF (NEO) LIBERAL ECONOMICS

ORGANIZED BY:

EUROPEAN DEMOCRATIC LAWYERS (EDL) & LE SYNDICAT DES AVOCATS DE FRANCE (SAF)

IN COOPERATION WITH:

EUROPEAN ASSOCIATION OF LAWYERS FOR DEMOCRATIC AND WORLD HUMAN RIGHTS (EALDH) & PROGRESS LAWYERS NETWORK (PLN)



EALDH

European Association of Lawyers
for Democracy and World Human Rights

PROGRESS
LAWYERS NETWORK
WWW.PROGRESSLAW.NET

PROGRAMME

SIMULTANEOUS INTERPRETATION WILL BE PROVIDED

Conference programme 16 and 17 October 2009

LOCATION: MAISON DU BARREAU, 2 RUE DE HARLAY, 75001 - PARIS

FRIDAY - 16 OCTOBER 2009

13:30h **WELCOMING THE PARTICIPANTS**

13:45h **WELCOME SPEECH BY THE BÂTONNIER OF THE PARIS BAR AND THE PRESIDENT OF EDL**

14:00h **INTRODUCTION**

- ‘Labour law and liberal economics’ (juridical approach)
Sheldon *LEADER* (Professor of Labour Law – University of Essex)
- ‘Labour law and liberal economics’ (economic approach)
Philippe *POCHET* (Director of the European Trade Union Institute)

16:00h **COFFEE BREAK**

16:15h **SESSION 1: THE RIGHT TO COLLECTIVE ACTION**

- ‘The fundamental rights of negotiation and collective action under the strain of the doctrine of the European Court of Justice’
Patrick *CHAUMETTE* (Professor of Labour Law – University of Nantes)
- ‘The stem of collective labour conventions in Europe between erosion and stabilisation’
Reinhard *BISPINCK* (Researcher – Institute for Economic and Social Sciences WSI – Düsseldorf)
- ‘A Tale of Two Cities (Luxembourg and Strasbourg) and the Right to Collective Bargaining’
Keith *EWING* (Professor King’s College – London)
- ‘A Tale of Two Cities (Luxembourg and Strasbourg) and the Right to Strike’
John *HENDY* (Queen’s Counsel – London)
- ‘The right to collective action in Belgium – the effect of the ECJ and ECHR case-law’
Gilbert *DEMEZ* (Lawyer and Professor – Catholic University of Louvain)
- ‘The right to collective action – Perspectives after the economic and financial crisis’
Detlef *HENSCHKE* (Jurist – Berlin)

18:15h **END**

SATURDAY - 17 OCTOBER 2009

9:00h **SESSION 2: DURATION OF WORKING TIME**

- ‘The duration of working time, a key element in the social confrontation within the European Union’
Mireia *MONTESINOS* and Rafael *CALDERON* (Lawyers – Members of the Catalan Association for the Protection of Human Rights - ACDDH)
- ‘The demands of a liberal economy in the context of economic recession and redefinition of working time’
Miren *ETXEZARRETA* (Applied Economy Professor – Autonomous University of Barcelona – member of the association ‘European Economists for an Alternative Economic Policy’)
- ‘The deregulation of legal limits of the duration of working time - the English opt-out’
Steve *COTTINGHAM* (Solicitor – London)
- ‘The deregulation of legal limits of the duration of working time: the annualization of working hours - the “plus minus conto” system’
Sophie *REMOUCHAMPS* (Lawyer at the Brussels Bar – member of the Syndicate of Lawyers for Democracy, SAD)
- ‘Analysis of recent tendencies and the evolution of European Social law regarding working time. Reform project of the European directive and jurisprudence of the ECHR’
Vito *LECCESSE* (Professor of Labour Law – University of Bari)

11:00h **COFFEE BREAK**

11:15h **SESSION 3: POSTING OF WORKERS IN EUROPE, APPLICATION OF LOCAL LAW, INTERNATIONALIZATION OF CONTRACTS, TEMPORARY WORK AND SUBCONTRACTING MECHANISMS FAVOURING SOCIAL DUMPING**

- ‘The Posting Directive and the Jurisprudence of the ECJ’
Mijke *HOUWERZIJL* (Professor – University of Nijmegen)
- ‘Posting in Belgium - Effect of the Jurisprudence of the ECJ’
Andrée *DEBRULLE* (Research Bureau of the Christian Workers Union – Belgium)
- ‘The L’Oréal Affaire’
Rachel *SAADA* (Lawyer – member of the SAF)
- ‘The Air France Affaire’
Nathalie *MICAULT* (Lawyer – member of the SAF)

13 :15h **ON-SITE LUNCH**

14:15h POSTING, TEMPORARY WORK, PRECARIOUSNESS AND POVERTY

- ‘The deregulation of the contract of employment: the example of temporary work. The effect of the posting and temporary workers directives in Germany’
Jürgen *ULBERT* (Jurist of the Executive Committee of I.G. METAL – Frankfurt)
- ‘The mechanisms of the growing use of subcontracting, temporary work and posted workers’
Jan *BUELENS* (Lawyer – member of the Progress Lawyers Network and researcher University of Antwerp)
- ‘Temporary work, flexicurity and frailty’
Rafael A. *LOPEZ PARADA* (Magistrate of the Superior Court of Justice of Casille and Leon – Social Chamber)

15:45h GENERAL DEBATE UNDER THE CHAIRMANSHIP OF ANTOINE LYON-CAEN

16:15h COFFEE BREAK

16:30h PANEL: LINES OF REFLECTION WITH

- Antoine *LYON-CAEN*
- Pier Luigi *PANICI*, Lawyer Rome
- Ilda *FIGUEIREDO*, member of the European Parliament – Commission Employment and Social Affairs
- Séverine *PICARD*, representative of the ETUC

17:30h ‘INTERNATIONAL TOOLS OF RESISTANCE’
Pierre *LYON-CAEN* (Magistrate – adviser of the International Labour Office)

18:00h CLOSURE

NB. During the conference Professor BERCUSSON will be honoured by Geoffrey SHEARS (Solicitor - London)

Registration

Please fill in the following form and mail to info@terralaboris.be or send a fax to 0032-2-652 37 80

First name: _____ Name: _____
Enterprise (of company), organization or institute: _____
Function/position: _____
Address: _____
Telephone: _____
City/town: _____
Fax: _____
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Participation: € 50.00 (unemployed, students € 20.00) – account number 001-5007149-85