



International Labour Organization

International Institute for Labour Studies

**Governance, International Standards
and Corporate Social Responsibility
Spirit and Issues
Seminar Geneva
03-04 July 2006**

Jean-Claude JAVILLIER
International Institute for Labour Studies



The Seminar Spirit



Spirit of the Seminar :

- * Learning from each other (academics, international civil servants, practitioners, workers and employers);
- * Sharing Common Values based on the ILO Constitution (Tripartism, Social Justice), promoting Decent Work;
- * Academic Freedom at the Institute : freedom of thinking and freedom of speech.



Overview



International Labour Organization

- A) The General Background;**
- B) Some Issues to be analysed.**

International Institute for Labour Studies



1. The General Background



- 1.1. The wording : Governance, social or societal responsibility, soft and hard Law : common understanding ? Real transformations or just buzzwords ?
- 1.2. The finality : How to better improve the Rule of Law, to 'synergise' with the State, to articulate all kind of initiatives from Employers, Unions, NGOs, International Organisations ?
- 1.3. The legal evolution (revolution ?): Is there a new hierarchy between the Sources of Law ? Are there new actors and a new linkage between disciplines (labour and social security Law, Competition Law, Consumer Law, Environmental Law, Human Rights Law) ?
- 1.4. The reference to International Standards : Why are standards used by Private Actors ? Are they used in a proper manner ? How to promote a better use of all these standards (on Human Rights, Labour Relations and Social Security, as well Environment issues) ?



2. Some Issues to debate



2.1. Legal qualifications and the hierarchy of standards:

- * What do we mean with “Law”, related to the CSR practices ?
- * What could be the impact of the CSR practices on Law (domestic as well as international)?

Some questions :

- # “Hard” and “Soft” Law : distinction, complementarity?
- # Avoiding or integrating Law in CSR practises?
- # Taking in account the private use of International Standards ?



2. Some Issues to debate



2.2. Enterprises' Experiences related to International Standards.

- * Experiences among many other : linking practice and research (thanking strongly the Enterprises welcoming the Institute's Research);
- * Analyzing the origin and the evolution of the relations between the Enterprises' initiatives and the International Standards;

Some questions:

- # Which Departments of the Enterprise are involved ?
- # What are the difficulties related to the use of International Standards ?
- # Are the Unions involved in the conception as well as the CSR practices related to International Standards ?
- # Are there Follow Up Procedures implemented ?
- # Is there a technical cooperation with International Organisations, Law Firms, NGO's ?



2. Some Issues to debate



2.3. Synergy between Enterprises' Practices and National/international Law.

- * The same practice in a different context (e.g. Common Law System, Roman Germanic Law System) could have a different meaning and impact.
- * How to improve the legal security at the origin as well as during the implementation of CSR practices ?

Some questions :

- # What does Legal Security mean?
- # Sharing legal experiences and analyzing differences between domestic legal treatment of the same practice;
- # Promoting Alternative Modes for Dispute Resolution ?
- # What kind of impact of the CSR Practices on Domestic Law and Industrial Relations System ?



2. Issues to debate



2.4. Appropriation of International Labour Standards by Private Actors : a 'capability' approach.

- * The Diversity and Complementarity of the International Standards related to Labour relations and Social Security;
- * The Risks and Benefits for the International Community and the States of such practices.
- * The ways to improve a better appropriation of International Labour Standards.

Some questions :

- # Obstacles to the appropriation of the International Labour Standards;
- # Methods for the diffusion of the content and the implementation of the International Labour Standards;
- # Sharing knowledge and improving the Training on International Labour Standards (e.g. Law Faculties, Business Schools, Employers' and Workers' Training Institutions, NGO Training Programmes);



Thank you for coming.



International Labour Organization

- You are always welcome at the Institute;
- We want to maintain a permanent contact with you;
- We need to study in a deeper way some questions, after the Seminar;
- Please give us your view about the questions to be analysed and the methods to be used;
- Our goal : sharing with you the best ways to promote the rule of Law, Democracy and the ILO values and Standards.

International Institute for Labour Studies