

For further information, please contact:

El Sayed Torky

Project Manager, Promoting the Application and Protection of ILS

ILO DWT for North Africa and ILO Country Offices for Egypt and
Eritrea (DWT/CO-Cairo)

9, Dr. Taha Hussein St.
Zamalek, 11211 Cairo, Egypt
Phone: +202.27370280
E-mail: torky@ilo.org



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International labour standards for judges (first phase)

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Mövenpick Resort El Sokhna, Red Sea, Egypt

International labour standards for judges (first phase)

This training course is organized in the framework of the PSI Project “Capacity building on International Labour Standards in Egypt” aiming at providing technical support to the Judiciary on how to use international labour standards in national courts.

Background and rationale

International labour standards (ILS) adopted by the International Labour Organization (ILO) are important tools for the development of national legislation. However, the contribution of international labour law is not limited to its impact on labour legislation. ILS can also contribute to strengthening domestic case law on labour matters.

International labour law is a highly valuable resource for domestic judges and lawyers seeking to settle labour disputes. Together with the comments and analysis of the relevant supervisory bodies, ILS offer a matchless source of interpretation and inspiration for judges and lawyers in ILO member States. Several examples show that domestic courts are hesitating less and less to draw not only on international labour Conventions and Recommendations but also on the work of the ILO’s supervisory bodies to interpret and complement their domestic law.

The ILO and its International Training Centre (ITCILO) in Turin, Italy, accordingly intend to

encourage the advanced training of judges to enable them to make full use of the sources of international labour law in their daily practice.

Objectives

General objective

The main objective of the course is to strengthen participants’ knowledge and skills to use international labour law sources at national level. The course will also provide materials and methodology to promote training in this field.

Specific objectives

At the end of the course, participants will be able to:

- have an in-depth knowledge of the ILS system;
- determine when and how judges can use international labour law to solve labour disputes;
- understand the relevance of the analysis and pronouncements of the ILO’s supervisory bodies and use them;
- identify and make use of ILS in key selected areas; and
- find and use resources and tools on ILS and case-law relying on them.

Participants’ profile

The course is intended for 18 judges and prosecutors of the Egyptian Court of Cassation.

Structure and content

The course will cover the following:

- the ILS system: legal nature and main characteristics of ILO standards; ILS procedures from their elaboration and adoption to national application;
- when and how judges can use international labour law;
- the work of the ILO’s supervisory bodies and its relevance to judges;
- the content and judicial use of domestic labour law and ILS on key selected areas, such as freedom of association and the right to collective bargaining, and equality of opportunity and treatment in employment and occupation;
- ILO’s and ITCILO’s databases on ILS and case-law relying on them and other resources.

Language

The course will be conducted in English and Arabic, with simultaneous interpretation.

Methodology and materials

Training methods used in the course aim to take advantage of the participants’ high-level of competencies and experience. Considerable time will therefore be devoted to case studies, role plays and group discussions.

The materials used during the course include a training manual and a compendium of court decisions from numerous jurisdictions around the world, which have relied on ILS.

Resource persons

Resource persons will include: a member of the Committee of Experts on the Application of Conventions and Recommendations, one of the main ILO bodies supervising the application of ILS by member States; and a trainer from the ITCILO.

Preliminary questionnaire

To facilitate the sharing of information and experience, a preliminary questionnaire on the place of international law in domestic law and the use of international law at the national level, with special focus on international labour law, will be circulated among participants before the course.