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## International labour standards and labour legislation for judges and judicial officers

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# International labour standards and labour legislation for judges and judicial officers

A training course is organized with the support from the Fundamental Rights and Labour Relations (FRLR) Project, and the Social Dialogue and Industrial Relations (SDIR) Project of ILO Bangladesh, and in collaboration with the Judicial Administration Training Institute (JATI).

## 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 equip participants with the knowledge and tools that will enable them to use international labour law sources at national level.

### 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 judges and judicial officers from courts and tribunals that deal with labour litigation. Judges and judicial officers in the wider judicial system can also benefit from the training course.

## 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;
- 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. A selection of training materials will also be made available in Bangla.

## 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 compendium of court decisions from numerous jurisdictions around the world, which have relied on ILS.

## Resource persons

Resource persons will include: a former 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; experts from the academia, the ILO and the ITCILO.

## Preliminary tasks

To facilitate the sharing of information and experience, each participant will be asked to deliver a report before the course on the place of international law in domestic law and the use of international law by judges, lawyers and legal experts at the national level, with special focus on international labour law.

## Follow up

As a follow-up to the course, participants will join an on-line Community of Practice.

*As an Organization dedicated to promoting social justice and internationally recognized human and labour rights, the ILO is taking a leading role in international efforts to foster gender equality. In line with this ILO focus, women are particularly encouraged to apply to ITCILO courses.*