
PRESENTATION OF THE THIRD COMPARATIVE LABOR LAW ROUNDTABLE: UNLAWFUL DISCRIMINATION IN EMPLOYMENT

INTRODUCTION

*Eliane Vogel-Polsky**

The issues of unlawful discrimination in employment are numerous and difficult. For this reason, we decided to concentrate our discussion upon a comparison of the various national legislative schemes represented by the participants in this Roundtable and to discuss the reality of their implementation through litigation or arbitration. We assumed that brevity and clarity would help us to focus on the central problems raised by insufficient legal techniques or by the lack of appropriate remedies.

We were fully aware that our discussion left out the issues related to strategies for change such as affirmative action or positive action programs. However, it is interesting to note that in all the countries examined, the principles of anti-discrimination legislation have been in operation for a long time, even if in some countries they were "toothless", as Roger Blanpain underlines.

These countries have recognized that while sex discrimination legislation creates important rights and remedies for individuals, or sometimes for groups, this by itself is not sufficient to break down the rigid barriers which operate to keep women in a limited range of occupations and job classifications. Legislation alone will have little effect on the structural barriers within the labor market which prevent women from participating fully.

* Director of the Centre de Sociologie du droit social and Professor of Law, Université Libre de Bruxelles.

It is difficult to understand why the goal of ensuring equal rights for men and women, which seems unanimously accepted, cannot be achieved. This Roundtable has the modest ambition of contributing to the identification of some legal features of this social dilemma.

I want to thank all of the participants of our Roundtable for their valuable contributions. They have brought into this debate their knowledge, their experience as practitioners and researchers, and moreover their criticism.

I would like to express my gratitude to Professor Gabriel Wilner who suggested the publication of the proceedings of the Comparative Roundtable in the *Georgia Journal of International and Comparative Law*. In the name of all the participants, I thank Anne Burnett, Editor-in-Chief of the *Journal*, and Evan J. Breibart, Articles Editor, for their effort, their work, and their unending patience in the publication process.

This meeting was partly supported by a financial contribution from the Commission of the E.E.C. (Director General V). It is a privilege to acknowledge this assistance and to thank our sponsors.

I hope that the readers of the proceedings of this Third Comparative Law Roundtable will find our discussion as interesting as we did.