

Editorial

This issue starts with a paper on employee information and consultation procedures in worldwide enterprises. Achim Seifert advocates the trans-nationalization of employee information and consultation procedures in enterprises that operate at a global level. After outlining the case for trans-national employee information and consultation, the article gives an overview of how the rules of international law and trans-national private regulatory instruments cope with this need. His main argument is that international law should explicitly recognize the setting up of trans-national employee information and consultation procedures in worldwide enterprises in order to strengthen recent efforts by global union federations in various International Framework Agreements.

This paper is followed by three on European topics. In his article on European flexicurity policies, Lothar Funk critically assesses whether the principal ideas of flexicurity – the combination of labour market flexibility and security for employees – can potentially be regarded as the lowest common denominator of the European Social Model, as the European Commission wants to implement flexicurity policies in all member states. Funk casts doubt on too strong an emphasis on this new paradigm as it may lead to counterproductive results in some Member States.

Eva Kocher discusses whether fundamental social rights in Community law and in the German Constitution can be regarded as equivalent. Focusing on the recent ECJ decisions in *Viking* and *Vauxhall*, she indicates emerging conflicts particularly as regards freedom of association, the right to collective bargaining and autonomy in collective bargaining from a German comparative perspective. In her view, reinstating the comparative method in the interpretation of fundamental social rights could help prevent the emerging European constitution from diverging from the common constitutional traditions.

The paper by Kristina Koldinská is based on the findings from a recent comparative study on the evolution of Czech and Slovak labour law during the period 1995-2005. The author examines recent developments and the present situation as well as the prospects for labour law in the Czech Republic and Slovakia in the areas of individual labour relations, collective bargaining and employment policy, analysing the contrast between flexibility and rigidity in labour legislation in the two new EU Member States.

Finally, Shelley Wallach discusses the problems resulting from the unparalleled expansion of temporary agency work in Israel, both in the private and the public sector. She gives an overview of the Israeli agency work in all its variants and the problems arising from it, drawing comparisons particularly with the German legal framework on temporary agency work, and putting forward proposals for the regulation of this form of employment.

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