This issue of the Review has a definite legal tang as it turns to issues long at the heart of the ILO’s concerns. It focuses first on the International Labour Organization’s monitoring procedures as seen from a privileged participant-observer’s position, and then on the evolution of labour law in the Russian Federation, comparing the situation at the end of communist rule with that brought about by the new Labour Code which entered into force in February 2002. The third article lies outside the legal sphere, and is concerned with the tenure–productivity–employment relationship, raising the central question of whether a stable workforce is good for the economy.

Many readers may know of Alfred Wisskirchen, who started attending the International Labour Conference as Employer delegate from Germany in 1969. He was a member of the Conference Committee on the Application of Standards for many years and, from 1983 to 2004, was the Employer spokesperson and Vice-Chairperson of that Committee. Here he offers us his recollections of that long experience of the ILO’s standard-setting and monitoring activity, raising several legal questions he considers should be addressed. Newcomers to the somewhat arcane methods of work of the ILO will find plentiful explanations here, with added historical perspective, of how the Organization sets standards, and the problems these raise such as tension between universality and flexibility. All this, of course, within the special tripartite structure typifying the ILO and in which Mr. Wisskirchen was a leading player for the Employers’ side. A large part of the article is given over to the means whereby standards are monitored, and in this connection to the (sometimes difficult) relationship between the Conference Committee on the Application of Conventions and Recommendations (on which he sat) and the Committee of Experts on the Application of Conventions and Recommendations. In this connection, and reverting back to the earlier consideration of the status of ILO Conventions and Recommendations under international law, the author rehearses the problems repeatedly raised in the monitoring of these standards, the main example being the ever-controversial issue of the
right to strike and whether this is specifically covered in ILO instruments. In addition to the intrinsic value of the recollections of a figure present for so long on the ILO scene, readers will be interested to learn his views on the future direction that ILO standards-setting and monitoring should take in the age of globalization – another welcome addition to this ongoing debate.

Arturo Bronstein’s article on the new labour law of the Russian Federation, provides the sort of detail that brings home the realities of the transition process to outsiders. The transition here was from Soviet-era labour law which applied in a world of socialization of the means of production and of management of industry by the workers. Here, of course, the trade unions had an important role in running the affairs of the State, and elected union leaders were in effect bureaucrats in the administration of the State or the Party. In a world from which capitalism had been banished, there could no longer be conflict between the interests of managers and those of workers, and the Soviet-era Labour Code stipulated that the trade unions were to represent workers’ interests in spheres ranging between production, labour, welfare, living conditions and culture. After outlining the broad principles of the Soviet Labour Code, Bronstein briefly describes the break up of the Soviet Union, the adoption of several legal instruments (notably laws on the settlement of collective labour disputes and on trade unions, and the new Constitution), and new employer and worker organizations. As to the new Labour Code, the author explains the protracted and tortuous process that took the original draft through seven years of discussion and negotiation from 1991 onwards, between successive governments, the main trade union organizations, the newly established Coordinating Council of Employers’ Unions of Russia and a variety of other parties. He examines the Code’s articles covering the employment contract, collective bargaining and the right to strike.

In the third article, Peter Auer, Janine Berg and Ibrahim Coulibaly analyse the convoluted relationship between tenure, productivity and employment in six major sectors in 13 European countries, exploring further the effect of employment protection legislation on employment. These issues have of course been at the heart of the debate on labour market flexibility, whose proponents maintain that regulations protecting workers from dismissal merely increase the cost of dismissal so that employers hire less, or on temporary contracts or illegally. Overall, the argument has been that labour market regulations impede the labour market’s capacity to adjust rapidly to shocks, resulting in lower output and productivity. In their study, the authors seek to establish whether longer employment tenure inhibits or contributes to productivity, and whether there is an optimum level of tenure for promoting productivity. Reviewing the different labour market systems examined in 13 European countries between 1992 and 2002, they argue that tenure is neces-
sary both for workers’ security and for firms’ productivity; however, this stability should be paired with internal, functional flexibility. Overall, their results show that both extensive tenure and short tenure are found to have possible adverse effects on productivity. They recognize that the long average tenures observed in Europe, though not detrimental to productivity, may not always be good for labour markets because they are generally accompanied by lower employment rates—a paradox on which they call for further research. Finding that the best security levels and the highest shares of good-quality jobs occur in countries with intermediate-range tenure which provide support to workers in transition between jobs, the authors propose a concept of “protected mobility”, whereby security in transition is ensured while rendering flexibility and security concerns more compatible.

Finally, the books section contains its familiar mix of reviews, book notes and information about recent ILO publications. Several of the books featured mesh well with the articles that precede them. Thus Bob Hepple’s *Labour laws and global trade*, and Jean-Michel Servais’ *International labour law* (English edition) and his monograph on the *International Labour Organization*, as well as the ILO’s *Glossary of labour law and industrial relations (with special reference to the European Union)* relate to the first two articles. And Sarah Ashwin and Simon Clarke’s *Russian trade unions and industrial relations in transition* complements the article on the new Russian Labour Code. Other books reviewed or noted explore the relationship between globalization, employment and poverty reduction; unemployment compensation throughout the world; labour and the labour movement in the United States; monetary integration and the European model of society; and non-standard work in developed economies. New ILO publications also concern how labour and factory inspectors should manage HIV/AIDS; a Latin American view of the impact of trade liberalization and economic integration on the labour market; workplace solutions for malnutrition, obesity and chronic diseases; guidance for legislation and law enforcement on human trafficking and forced labour exploitation, as well as a book on the trafficking and exploitation of Chinese immigrants in France; safety and health in ports; trends in working and employment conditions in the new Member States of the European Union; and a global perspective on working time laws.