

Call for papers: Thematic issue of the journal *Stanovništvo*, Vol. 61 No. 2 (2023)

» Demographic change, labour rights & social security: *Challenges, choices & opportunities* «

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Labour rights provide individuals with the opportunity to secure the means for a life worthy of a human being, but also the opportunity to develop their personality through work. Demographic phenomena, such as the aging of the population, birth rate, migration and the educational structure of the population, affect the creation of the conditions for effective exercise of labour rights. Taking demographic phenomena into consideration when regulating work for others, is a prerequisite for the enjoyment of the right to work and other labour rights, such as the right to fair wages, the right to dignity at work, the right to protection against unlawful termination of employment, as well as the collective labour rights.

Hence, demography is closely associated with the regulation of employment relations, as well as with the regulation of protection against social risks, which firstly can be seen in the recognition and legal formulation of the need for special protection for older workers, as well as the need to create conditions for the implementation of concepts of active aging and intergenerational solidarity. The effective enjoyment of labour rights requires prevention of age discrimination, as well as preservation of motivation of older workers and their ability to work, and requires giving the opportunity to young workers to gain work experience and advance in their professional careers. In addition, many older people, with their unpaid work in the household, contribute to a better reconciliation of professional and family duties of young workers, just as many young workers care for elderly family members dependent on the care and assistance of others. Therefore, reconciling professional and family duties of workers represents a special challenge in the contemporary world of work, which also represents a significant research problem in legal and other related sciences.

The identified challenges should also be viewed from the perspective of gender equality, since labour law is traditionally conceived on the model of a male worker employed on an indefinite and full-time basis, without sufficient consideration of the needs of women as participants in the labour market. Although the implementation of the feminist method has influenced the formal improvement of the position of women in terms of employment, they still face difficulties in finding and maintaining employment, as well as difficulties exercising their rights to advancement at work. Contemporary law is, therefore, focused primarily on the empowerment of women, often unjustifiably neglecting the importance that men have in achieving gender equality in the field of work.

Finally, demography and labour rights are closely linked by the need to ensure adequate labour and social protection of migrants, since international migration cannot be viewed only in the light of economic gains and losses of the countries concerned, but also in the light of the need for legal protection of migrants and their family members. This also applies to the field of employment, because, in accordance with the principle of territoriality, the labour legislation of the country of origin cannot be applied to migrants when they are outside the national borders, and there is a risk, in the territory of the recipient country, of labour exploitation and other abuses by the employers. This establishes a number of different migrant statuses for workers who have been admitted to the territory of another country. Some of them are very precarious, since access to certain rights depends on the migrants' country of origin, the length of stay in the recipient country, the type of residence permit or work permit issued by the country, and, in some cases, also on their occupation and legal status.

There is a reciprocal relationship between demographic phenomena and the exercise of the right to social security. This is mainly because the construction and modification of the social security system require a deeper analysis of the characteristics of the population that will enjoy and finance protection in the event of sickness, accident at work, occupational diseases, maternity, old age, invalidity, death of a breadwinner, unemployment and other social risks. On the other hand, the functioning of the social security system allows insight into important information for demography. Besides, the weakening of family solidarity emphasizes the impotence of the assistance of private persons, as an undifferentiated method of protection against social risks, while the neoliberal lowering of the expenditure for social protection puts an additional burden on women with family duties, both in relation to children and adults dependent on other people's care and assistance. Furthermore, the aging of the population and the extended life expectancy are relativizing randomness as a feature of the social risk of old age, and influence the legal affirmation of new social risks, such as dependence on other people's care and assistance.

Solidarity between active and passive members of social security systems, however, makes these systems particularly sensitive to demographic change. This is especially true for the aging of the population and the fertility rate decline, which, together with the increase in the unemployment rate, is accompanied by serious social and economic

consequences. The most far-reaching consequences are the significant financial burdens for future generations. According to certain authors, this could cause conflict, instead of solidarity, between generations, especially in the context of the economic, financial and social crisis. However, regardless of the validity of this prediction, it can be said that the demographic phenomena have a decisive influence on the sustainability of the social security systems, especially when it comes to systems based on intergenerational solidarity and the application of the repartition technique.

The aim of the thematic issue of the journal *Stanovništvo* is to bring together authors dedicated to the study of various branches of law (labour law, social security law, international labour law, human rights law, insurance law), but also authors from other scientific fields dealing with labour and social security (economics, demography, social policy, sociology of work), in order to offer theoretical and practical insights into issues related to the impact of demographic change on the world of work and social security systems. Papers selected for the thematic issue will strive to show the ways in which demographic phenomena, labour rights and protection from social risks intersect in the context of social, political, economic and technological changes. They will also identify legal and other instruments that contribute to the creation of the conditions for enjoyment of labour rights, and other related economic and social rights. Authors can send theoretical articles, as well as articles based on empirical research and methods.

The topics of interest to the thematic issue:

- ◆ *Labour law and social security law implications of population aging*: the concept of active aging; the concept of intergenerational solidarity; special protection of older workers; prevention and protection of workers against age discrimination; economic security of the elderly; protection of older workers in case of collective dismissal; (il)legality of accumulation of old-age pension and pay; legal position of caregivers for the elderly.
- ◆ *Employment of young people*: transition of young people from the world of education to the world of work; discrimination of young workers; traineeships; internships; (un)paid work of young workers; false self-employment of young workers; precarious work of young workers.
- ◆ *Gender equality and labour rights*: prevention and protection of employees and job candidates against discrimination based on sex/gender; gender equality and employment; affirmative measures and gender equality; gender perspective of new forms of work; gender and digital work; gender perspective of the freedom to form trade unions and participate in collective bargaining.
- ◆ *Reconciling professional and family duties of workers*: labour law and social security law protection of pregnant women, new mothers and nursing mothers; the right of employed parents to decent work; protection of caregivers; labour law and social security law aspects of single parenthood and other alternative forms of family life; reconciling professional and family duties of workers and the (economic and political) turn towards neoliberalism; reconciling professional and family duties and the COVID-19 pandemic.
- ◆ *International migration - labour law and social security law aspects*: employment of migrant workers; employment of refugees and asylum seekers; recognition of foreign school certificates and diplomas for employment purposes; recognition of work experience gained in another country; the work of irregular migrants; migrants and the risk of labour exploitation; preservation of acquired social rights of migrants and their rights in the course of acquisition; health and social protection of migrants.
- ◆ *Social security and demography*: the impact of socio-demographic structures on social security systems; the impact of the social security system on the development of demographic structures; the impact of demographic change on the financial balance of the social security systems; advantages and disadvantages of private insurance against social risks; women's work and social security; aging and social security; the response of the welfare state to new social risks.

Submission guidelines:

We invite authors to send an abstract of up to 200 words for consideration to the thematic issue. Please send an abstract including author name(s), affiliation(s), and email address of the corresponding author to the Guest editors: sanjazlatanovic1@gmail.com and ljubinka@ius.bg.ac.rs. Guest editors will inform all authors about the outcome of the selection of abstracts no later than May 1, 2023.

The selected contributors will be invited to submit full-paper manuscripts through the journal's *submission system*. For detailed instructions see the *Author guidelines*. All manuscript types are acceptable – research papers, short communications, review articles, scientific critiques and polemics, reviews and reflections. Submitted manuscripts will be subjected to a regular *peer review process*.

Submission deadlines:

- Abstracts by **April 15, 2023**
- Full papers by **September 1, 2023**



Vladimir Nikitović, Editor-in-chief

Poziv za dostavljanje radova: tematski broj časopisa Stanovništvo, God. 61 Br. 2 (2023)

» Demografske promene, radna prava i socijalna sigurnost: Izazovi, izbori i mogućnosti «

Urednice tematskog broja:

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Radna prava omogućavaju pojedincima obezbeđivanje sredstava za život dostojan čoveka, ali i priliku da, kroz rad, razvijaju svoju ličnost. Na stvaranje uslovâ za delotvorno ostvarivanje radnih prava utiču, između ostalog, i demografske pojave, poput starenja stanovništva, nataliteta, migracija i obrazovne strukture stanovništva. Ovo, stoga, što se uvažavanje demografskih pojava prilikom pravnog uređivanja rada za drugog pojavljuje kao preduslov za ostvarivanje prava na rad i drugih radnih prava, posebno prava na pravičnu zaradu, prava na dostojanstvo na radu, prava na zaštitu od nezakonitog prestanka radnog odnosa, kao i kolektivnih radnih prava.

Demografija je, otud, tesno povezana sa regulisanjem radnih odnosa, kao i sa uređivanjem zaštite od socijalnih rizika, što se, najpre, vidi kroz prepoznavanje i zakonsko uobličavanje potrebe starijih radnika za posebnom radnopravnom zaštitom, kao i potrebe za stvaranjem uslovâ za implementaciju koncepcija aktivnog starenja i međugeneracijske solidarnosti. Delotvorno ostvarivanje radnih prava pretpostavlja, naime, sprečavanje starosne diskriminacije, kao i očuvanje radne sposobnosti i motivisanosti starijih radnika za rad, te potrebu da se mladim radnicima omogući da steknu radno iskustvo i napreduju u profesionalnoj karijeri. Osim toga, mnoge starije osobe svojim neplaćenim radom u domaćinstvu doprinose boljem usklađivanju profesionalnih i porodičnih dužnosti mladih radnika, baš kao što mnogi mladi radnici neguju starije članove porodice zavisne od tuđe nege i pomoći. Stoga se kao poseban izazov u savremenom svetu rada pojavljuje usklađivanje profesionalnih i porodičnih dužnosti radnikâ, a što predstavlja i značajan istraživački problem u pravnoj i drugim povezanim naukama.

Identifikovane izazove treba sagledati i iz perspektive rodne ravnopravnosti, budući da je radno pravo tradicionalno koncipirano po modelu radnika muškog pola zaposlenog na neodređeno vreme i sa punim radnim vremenom, bez dovoljnog uvažavanja potreba koje žene imaju kao učesnice na tržištu rada. Premda je primena feminističkog metoda uticala na formalno unapređenje radnopravnog položaja žena, one se i dalje neretko suočavaju sa teškoćama pronalazjenja i očuvanja zaposlenja, kao i sa onim vezanim za ostvarivanje prava na napredovanje i usavršavanje na radu. Savremeno pravo je, otud, usmereno prevashodno na osnaživanje žena, ali, često, uz neopravdano zanemarivanje značaja uloge muškaraca u postizanju rodne ravnopravnosti u oblasti rada.

Konačno, demografiju i radna prava blisko povezuje i potreba za obezbeđivanjem odgovarajuće radnopravne i socijalnopravne zaštite migranata, budući da se međunarodne migracije ne mogu posmatrati samo u svetlu ekonomskih dobitaka i gubitaka zainteresovanih država, već ih prati i potreba pravne zaštite migranata i članova njihovih porodica. To vredi i za oblast zapošljavanja, jer se, u skladu s načelom teritorijalnosti, radno zakonodavstvo države porekla ne može primeniti na njih u slučajevima kada se nalaze van državnih granica, dok na teritoriji države prijema postoji rizik od njihove radne eksploatacije i drugih zloupotreba poslodavčevih ovlašćenja. Time se za radnike koji su primljeni na teritoriju druge države, uspostavlja i niz različitih migrantskih statusa. Neki od njih su vrlo prekarni, budući da pristup određenim pravima zavisi od države iz koje migranti dolaze, dužine boravka migranata na teritoriji države prijema, vrste odobrenja za boravak ili dozvole za rad koje im država izdaje, a, u nekim slučajevima, i od zanimanja migranata i njihovog radnopravnog statusa.

Recipročni uticaj postoji i između demografskih pojava i ostvarivanja prava na socijalnu sigurnost. Ovo, najpre, stoga što izgradnja i izmene sistema zaštite od socijalnih rizika pretpostavljaju produbljenu analizu karakteristika stanovništva koje će tu zaštitu uživati i finansirati. S druge strane, funkcionisanje sistemâ socijalne sigurnosti omogućava uvid u podatke od značaja za demografiju. Osim toga, slabljenje porodične solidarnosti naglašava nemoć pomoći privatnih lica, kao nediferenciranog metoda zaštite od socijalnih rizika, dok neoliberalno snižavanje troškova za socijalnu zaštitu dodatno opterećuje žene porodičnim dužnostima, kako prema deci, tako i prema odraslim licima zavisnim od tuđe nege i pomoći. Nadalje, starenje stanovništva i tendencija produženja životnog veka relativizuju aleatornost kao obeležje socijalnog rizika starosti, te utiču na pravnu afirmaciju novih socijalnih rizika, poput zavisnosti od tuđe nege i pomoći.

Solidarnost između aktivnih i pasivnih članova sistemâ socijalne sigurnosti, pritom, čini ove sisteme posebno osetljivim na demografske promene. To, naročito, vredi za starenje stanovništva i pad stope fertiliteta, što je, zajedno s porastom stope nezaposlenosti, skopčano s više ozbiljnih socijalnih i ekonomskih posledica. Najozbiljnije od tih posledica tiču se opterećivanja budućih generacija značajnim finansijskim teretima. To bi, po nekim autorima, umesto solidarnosti, moglo uzrokovati sukob među generacijama, naročito, u kontekstu ekonomske, finansijske i društvene krize. No, nezavisno od utemeljenosti ovog predviđanja, može se konstatovati da demografske pojave presudno utiču na održivost sistema socijalne sigurnosti, posebno kada je reč o sistemima koji počivaju na međugeneracijskoj solidarnosti i primeni tehnike repartije.

Cilj tematskog broja časopisa *Stanovništvo* je da okupi autore i autorke posvećene izučavanju različitih grana prava (radno pravo, socijalno pravo, međunarodno radno pravo, pravo ljudskih prava, pravo osiguranja), ali i autore i autorke iz drugih naučnih oblasti koje se bave radom i zaštitom od socijalnih rizika (ekonomija, demografija, socijalna politika, sociologija rada), kako bi ponudili teorijske i praktične uvide u pitanja vezana za uticaj demografskih promena na savremeni svet rada i sisteme socijalne sigurnosti. Radovi obuhvaćeni tematom će, naime, nastojati da ukažu na načine na koji se demografske pojave, radna prava i zaštita od socijalnih rizika ukrštaju u kontekstu društvenih, političkih, ekonomskih i tehnoloških promena. Takođe, biće ukazano i na pravne i druge instrumente koji doprinose stvaranju uslova za delotvorno uživanje radnih prava, kao i ostalih povezanih ekonomskih i socijalnih prava. Autori i autorke mogu poslati teorijske radove, kao i članke zasnovane na empirijskim istraživanjima i metodama.

Teme:

- ◆ *Radnopravne i socijalnopravne posledice starenja stanovništva*: koncepcija aktivnog starenja; koncepcija međugeneracijske solidarnosti; posebna radnopravna zaštita starijih radnika; sprečavanje i zaštita radnikâ od starosne diskriminacije u užem smislu; ekonomska sigurnost starijih osoba; zaštita starijih radnika u slučaju kolektivnog otpuštanja; (ne)dopuštenost kumulacije starosne penzije i zarade; radnopravni položaj negovatelja starijih osoba.
- ◆ *Zapošljavanje mladih osoba*: prelazak mladih iz sveta obrazovanja u svet rada; diskriminacija mladih radnika; pripravništvo; radne prakse; (ne)plaćenost rada mladih radnika; lažno samozapošljavanje mladih radnika; prekaran rad mladih radnika.
- ◆ *Rodna ravnopravnost i radna prava*: sprečavanje i zaštita zaposlenih i kandidata za zaposlenje od diskriminacije na osnovu pola/roda; rodna ravnopravnost i zapošljavanje; afirmativne mere i rodna ravnopravnost; rodna perspektiva novih formi rada; rodna perspektiva slobode sindikalnog udruživanja i kolektivnog pregovaranja.
- ◆ *Pomirenje profesionalnih i porodičnih dužnosti radnikâ*: radnopravna i socijalnopravna zaštita trudnica, porodilja i dojilja; pravo zaposlenih roditelja na dostojanstven rad; zaštita zaposlenih negovatelja; radnopravni i socijalnopravni aspekti samohranog roditeljstva i drugih alternativnih oblika porodičnog života; pomirenje profesionalnih i porodičnih dužnosti radnikâ i (ekonomski i politički) zaokret ka neoliberalizmu; pomirenje profesionalnih i porodičnih dužnosti i pandemija zarazne bolesti *Covid-19*; promovisanje ravnoteže između profesionalnog i privatnog, odnosno porodičnog života i značaj digitalizacije rada.
- ◆ *Međunarodne migracije – radnopravni i socijalnopravni aspekti*: zapošljavanje radnika migranata; zapošljavanje izbeglica i tražilaca azila; priznavanje stranih školskih isprava u svrhe zapošljavanja; priznavanje radnog iskustva stečenog u drugoj državi; rad subjekata neregularnih migracija; migranti i rizik radne eksploatacije; očuvanje očekivanih i stečenih socijalnih prava migranata; zdravstvena i socijalna zaštita migranata.
- ◆ *Socijalna sigurnost i demografija*: uticaj sociodemografskih struktura na sisteme socijalne sigurnosti; uticaj funkcionisanja sistema socijalne sigurnosti na razvoj demografskih struktura; uticaj demografskih promena na finansijsku ravnotežu sistema socijalne sigurnosti; prednosti i nedostaci privatnog osiguranja od socijalnih rizika; rad žena i socijalna sigurnost; starenje i socijalna sigurnost; odgovor države blagostanja za nove socijalne rizike.

Smernice za podnošenje priloga:

Autori treba da pošalju sažetak rada, do 200 reči, na elektronske adrese gostujućih urednica: sanjazlatanovic1@gmail.com i ljubinka@ius.bg.ac.rs. Potrebno je poslati fajl koji sadrži: ime(na) autora, afilijaciju/e, imejl adresu za kontakt, naslov rada i sažetak na engleskom ili srpskom jeziku. Gostujuće urednice će obavestiti autore i autorke o ishodu odabira sažetaka najkasnije do 1. maja 2023. godine.

Autori i autorke čiji sažeci budu prihvaćeni treba da podnesu cele radove na engleskom ili srpskom jeziku preko [web platforme časopisa](#) sledeći [smernice za predaju priloga](#). U obzir dolaze različite vrste priloga za objavljivanje – originalni naučni rad, pregledni članak, prethodno saopštenje, naučna kritika i polemika, osvrt, prikaz. Dostavljeni rukopisi biće podvrgnuti redovnom [procesu recenzije](#).

Rokovi:

- sažeci najkasnije do **15. aprila 2023.**
- radovi najkasnije do **1. septembra 2023.**



Vladimir Nikitović, glavni urednik