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SOFT LAW AND WORKERS' PROTECTION: AN INTERNATIONAL AND EU LAW PERSPECTIVE

The impact of the globalization phenomenon on labour paved the way to the “soft law” track as a mean to provide labour standards and ensure the protection of employees: soft law instruments are, indeed, faster to create due their informal status, thus allowing a certain flexibility. Despite their non-binding nature, such instruments can have indirect legal effects and, consequently, contribute to promote a higher level of protection in a constantly changing scenario. The Article focuses on the role of soft law with regard to two different situations where it can be crucial to resort to such instruments. The first one deals with the ongoing technological and digital advancement, which grows exponentially, thus requiring a continuous legal adaptation to new protective needs: invasions of privacy are, in fact, facilitated by ever more pervasive technologies. Secondly, soft law contribution to workers' protection is analysed in the context of the current COVID-19 pandemic, which has put seafarers around the world in precarious situations.